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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21384-2018
Date of decision: 14.02.2024

RAVINDER KUMAR

...Petitioner

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED AND ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- None for the petitioner.

Ms. Nikita Goel, Advocate
for respondents No.1 to 3.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ, order or direction in the nature of *mandamus*, *certiorari* or any other writ directing respondents No.1 to 3 that the petitioner, who is promoted from class-IV post to the post of Meter Reader (Class III post), is entitled to be fixed at par with respondent No.4 i.e. his junior in the cadre of Meter Reader direct appointee and as such his pay fixation/ACPs benefits granted by the Superintending Engineer OP Circle vide order dated 17.07.2009 equating him at par with his junior may not be withdrawn and maintained in view of judgment passed by this Court vide Annexure P-5 and Annexure P-6 and Government instructions.

2. None has appeared on behalf of the petitioner today. Same was the position on the last two dates of hearing as well.

3. On 02.03.2023, when this matter came up for hearing before a Coordinate Bench of this Court, the learned counsel appearing on behalf of respondents No.1 to 3 submitted that the petition itself has become infructuous because all the dues and benefits as claimed in the writ petition have been released to the petitioner and an affidavit to that effect has also been furnished by the petitioner during the pendency of the present writ petition. The aforesaid order dated 02.03.2023 is reproduced as under:-

“Learned counsel for respondents No.1 to 3 would submit that the matter has been rendered infructuous as all the dues and benefits as claimed in the writ petition have been released to the petitioner herein and an affidavit to that effect has also been furnished by the petitioner himself.

The copy of the said affidavit is taken on record.

Learned counsel for the petitioner seeks time to get necessary instructions in this regard.

Adjourned to 17.04.2023.

*To be shown in the **Urgent List.**”*

4. Learned counsel for respondents No.1 to 3 submitted that even in the short reply filed by the respondent-UHBVNL, it has been so mentioned that all the dues have been paid to the petitioner and the petitioner himself has furnished an affidavit in this regard and the vernacular of the same has also been attached along with the short reply, which is placed at page No.33 of the paper-book. Para No.3 of the aforesaid short reply filed by respondent-UHBVNL is reproduced as under:-

“That the CWP-21384 of 2018 titled as Ravinder Kumar v/s Uttar Haryana Bijli Vitran Nigam Ltd. (UHBVNL) pending in Hon’ble High Court at Chandigarh

& now fix for dated 27/10/2022. In this CWP, UHBVN released all dues and benefit as demanded by Mr. Ravinder Kumar Petitioner of concerned CWP-21384 of 2018.”

5. Learned counsel for respondents No.1 to 3 further submitted that since during the pendency of the present writ petition the entire dues have been paid to the petitioner and he has already expressed his satisfaction by filing an affidavit, nothing would survive in the present writ petition.
6. After hearing learned counsel for respondents No.1 to 3 and perusing the short reply filed by respondent-UHBVNL along with the vernacular form of affidavit filed by the petitioner, this Court is of the view that the present writ petition deserves to be disposed of as having been rendered infructuous. Apart from the above, even the learned counsel for the petitioner has not appeared today and also for the last two dates of hearing.
7. Consequently, the present writ petition is disposed of as having become infructuous.

14.02.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No