

**CM-3454-C-2017 in/and
RSA-3968-2014 2024:PHHC:004481 1
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**(282) CM-3454-C-2017 in/and
RSA-3968-2014
Date of Decision : January 15, 2024**

Punjab State Electricity Board and others .. Appellants

Versus

Wazir Singh .. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Y.P. Khullar, Advocate, for the appellants.

Mr. Pawan Kumar Goklaney, Advocate, for the respondent.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-3454-C-2017

Present application has been filed for listing the main appeal and deciding the same in view of the judgment passed in LPA No.997 of 2016, decided on 22.09.2016 (Annexure R-2).

Notice of the application to the counsel opposite.

Mr. Pawan Kumar Goklaney, Advocate, who is present in the Court, accepts notice on behalf of the respondent and raises no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed and the main appeal is taken up for hearing today itself.

RSA-3968-2014

1. Present appeal has been filed challenging the judgment of the lower Appellate Court dated 14.11.2013 by which, the suit filed by the respondent-plaintiff has been allowed, by setting aside the judgment and decree of the trial Court.

2. Learned counsel appearing on behalf of the respondent-plaintiff submits that keeping in view the issue of limitation raised by the respondent especially when a fact has already come on record that the prayer of the respondent-plaintiff for the grant of promotional increments on completion of 23 years of service was rejected in the year 2003 but the suit was filed in the year 2008, the present suit be treated as withdrawn with liberty to the respondent-plaintiff to avail appropriate remedy under law including the filing of the writ petition, in case permitted.

3. Learned counsel for the appellants submits that as the respondent-plaintiff has withdrawn his suit, the present appeal has been rendered infructuous and the same may kindly be disposed of as such.

4. Ordered accordingly.

January 15, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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