

**CWP-2402-2002 (O&M); CWP-11651-2002 (O&M)
CWP-1801-2002 (O&M) and CWP-96-2002 (O&M)**

-1-

201 (4 cases)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of Decision: 20.02.2025

(I) CWP-2402-2002 (O&M)

Dr. Rajinder SinghPetitioner

Versus

State of Punjab and othersRespondents

(II) CWP-11651-2002 (O&M)

Dr. D.S. Virk and othersPetitioners

Versus

State of Punjab and othersRespondents

(III) CWP-1801-2002 (O&M)

Dr. Joginder SinghPetitioner

Versus

State of Punjab and othersRespondents

(IV) CWP-96-2002 (O&M)

Dr. Joginder SinghPetitioner

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Sandeep Kumar, Advocate for
Mr. Arjun Partap Atma Ram, Advocate
for the petitioner (in CWP-2402-2002) and
for respondent No.3 (in CWP-11651-2002 & CWP-1801-2002).

Mr. Nirmaljit Singh Diwana, Sr. D.A.G., Punjab.

Mr. Abhijeet Chaudhary, Advocate
for respondent No.5 (in CWP-2402-2002) and
for the petitioners (in CWP-11651-2002).

HARSH BUNGER, J. (Oral)

This order shall dispose of four writ petitions, bearing CWP-2402-2002, CWP-11651-2002, CWP-1801-2002 and CWP-96-2002 and for the purpose of passing this order, the facts are being taken from ***CWP-2402-2002***.

2. The instant Writ Petition (CWP-2402-2002) has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Certiorari for quashing order dated 24.12.2001 (Annexure P-3), order dated 25.01.2002 (Annexure P-4), order dated 25.01.2002 (Annexure P-5) and order dated 02.03.2001 (Annexure P-5-A) whereby respondents No.3 to 8 were appointed/posted as Directors, Health Services, Punjab and Additional Directors, Health Services, Punjab.

3. A further prayer has been made for issuing a writ of Mandamus directing respondents No.1 and 2 to reconsider names of petitioners and respondents No.3 to 8, for the posts of Directors/Additional Directors, Health Services, Punjab strictly in accordance with Service Rules/Promotion Rules 1962 and to follow instructions dated 29.12.2000 (Annexure P-9).

3.1 On 04.03.2002, the following order was passed in this case by Division Bench of this Court:-

“Heard counsel for the applicant.

We find no ground to grant the prayer for interim stay. Promotions made, if any, during the pendency of the writ petition will be subject to the final orders to be passed in the case.”

3.2 Thereafter, this matter was admitted vide order dated 11.02.2003.

3.3 On 25.07.2003, the following order was passed:-

“This is an application for restraining respondent No.3 from recording Annual Confidential Report of the petitioner.

Having perused the averments contained in the application

CWP-2402-2002 (O&M); CWP-11651-2002 (O&M)
CWP-1801-2002 (O&M) and CWP-96-2002 (O&M)

-3-

and reply, I am of the view that there is no justification to restrain respondent No.3 from recording the Annual Confidential Report of the petitioner. At the same time, I direct that any action taken by respondent No.3 during the pendency of the writ petition, which may adversely affect the petitioner, shall remain subject to the result of the writ petition.

The CM is disposed of in the manner indicated above.”

4. Today, learned State counsel submits that instant writ petitions **(CWP-2402-2002, CWP-11651-2002, CWP-1801-2002 and CWP-96-2002)** have become infructuous as the petitioners as well as the private respondents have already retired from their services.
5. Learned counsel appearing on behalf of the petitioners as well as learned counsel appearing for the private respondents do not dispute the aforesaid submissions made by learned State counsel.
6. In view of the aforesaid submissions made by the respective parties, the present petitions **(CWP-2402-2002, CWP-11651-2002, CWP-1801-2002 and CWP-96-2002)** are dismissed as having been rendered infructuous. However, the petitioners would be at liberty to seek revival of the Writ Petitions, in case, any of their grievance still subsists.
7. All pending application(s), if any, shall also stand closed.
8. Photocopy of this order be placed on the file of connected cases.

20.02.2025
Himani

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No