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

RSA-732-1994 (O&M) and
XOBJ-5-C-1996
Date of decision: 10.02.2025

Haryana Agricultural University, Hisar

...Appellant

Versus

Raj Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Shreenath A. Khemka, Advocate for the appellant.

VIKAS BAHL, J. (ORAL)

1. In the present case, the respondent had filed a suit in the year 1990 for declaration and the suit was decreed and the order dated 31.05.1988 Ex.P1 reverting him to the post of Accountant from Assistant was held to be illegal. An appeal filed by the present appellant was dismissed vide judgment dated 02.11.1993 on the technical ground that the Registrar is not competent to file the appeal.

2. On 06.04.1994, a Coordinate Bench of this Court was pleased to issue notice of motion and was pleased to stay the operation of the decree. Thereafter, the matter was admitted and the interim order was not vacated.

3. Learned counsel for the appellant has submitted that on 18.04.2024, learned counsel for the respondent had made a statement that



the respondent had taken the brief from him and accordingly, notice was issued to the respondent. It is further submitted that in spite of issuance of notice, no one had appeared on behalf of the respondent and the stay is operating on the judgment and decree since 1994.

4. Learned counsel for the appellant has submitted that in view of the same, the present appeal be disposed of as having been rendered infructuous at this stage but liberty be granted to the appellant to revive the same in case the respondent approaches the concerned Department to seek any benefit out of the decree.

5. In view of the above, the present appeal is disposed of at this stage as having been rendered infructuous with liberty aforesaid.

6. Accordingly, the cross objections filed by the respondent are also disposed of with liberty to the respondent to revive the present appeal as well as cross-objections in case any cause survives to him.

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

10.02.2025

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No