



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

103

**RSA-2751-1996****Decided on: 19.03.2025**

State of Punjab and another

. . . Appellants

Versus

Om parkash

. . . Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL****PRESENT: Mr. Surya Kumar, AAG, Punjab.**

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**VIKAS BAHL, J.(ORAL)**

1. The respondent-plaintiff had filed the suit for declaration to the effect that his retirement at the age of 58 years is illegal. The said suit was decreed by the trial Court and the appeal filed by the State was also dismissed. On 04.02.1997, a Coordinate Bench of this Court, while admitting the matter, had stayed the operation of the judgment and decree under appeal. The said stay has continued till date.

2. Learned counsel for the appellant, on instructions from ASI Amrik Singh, SSP Office, Patiala, has submitted that the respondent had retired at the age of 58 years on 30.06.1988 and had died on 18.07.1997 thus, in view of the said subsequent events and also in view of the fact that no one on behalf of the respondent has approached the concerned Department to get the implementation of the judgments of the trial Court and the Appellate Court, the present appeal be disposed of as having been rendered infructuous at this stage but liberty may be granted to the appellants to revive the appeal, in case, the legal representatives of the respondent approach the concerned Department for implementation of the judgment of the trial Court and the Appellate Court.



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

4. Liberty is also granted to the legal representatives of the respondent to revive the appeal, in case, any cause of action survives.

5. Registry is directed to send the copy of the present order to the respondent on the address mentioned in the memo of parties.

**19.03.2025**

*Mehak*

*Whether reasoned/speaking?*

*Whether reportable?*

*Yes/No*

*Yes/No*

**(VIKAS BAHL)**  
**JUDGE**