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

RSA-157-2000 (O&M)
Date of decision: 16.09.2025

Executive Engineer

...Appellant

Versus

Arun Kumar Garg and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. R.S. Kundu, Advocate for the appellant.

Mr. Mayank Garg, Advocate for respondent No.1.

Mr. Raj Partap Singh Brar, AAG, Haryana
for respondent Nos.2, 3 and 5.

Mr. Sarthak Gupta, Advocate for respondent No.7.

VIKAS BAHL, J. (ORAL)

1. Learned counsel for respondent No.1 has submitted that respondent No.1-plaintiff had filed a suit in the year 1992 in which several prayers were made and the trial Court had partly decreed the suit and had held plaintiff entitled to full pay for the period w.e.f. 10.10.1988 to 08.11.1988 and to half pay for the period w.e.f. 09.11.1988 to 12.03.1989 and also entitled to salary and allowance for a period w.e.f. 01.11.1990 to 31.05.1991 and other reliefs were also granted to the plaintiff along with interest. It is submitted that no appeal was filed by the defendants against the said judgment and the plaintiff had filed an appeal against the partial



rejection of the suit and the First Appellate Court had modified the judgment of the trial Court and in addition to the reliefs granted by the trial Court, a relief of declaration holding the transfer order of the plaintiff dated 21.05.1991 and relieving order dated 31.05.1991 were held to be null and void and the plaintiff was further held entitled to consequential relief of salary. It is submitted that there is no interim order in favour of the appellant and reliefs under the judgment have been granted to respondent No.1/plaintiff and respondent No.1/plaintiff has retired from service. It is submitted that in fact, the present appellant is not even aggrieved party and has no locus standi to file the appeal. It is thus, submitted that the present appeal has been rendered infructuous.

2. Keeping in view the abovesaid facts and circumstances, the present appeal is disposed of. Liberty is, however, granted to the appellant to revive the same in case any cause still survives.

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

16.09.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No