

2025:PHHC:070569



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA-2838-1998 (O&M)
Date of decision: 23.05.2025

State of Punjab and another

...Appellants

Versus

Constable Ashok Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Surya Kumar, AAG, Punjab, for the appellants.

None for the respondent.

VIKAS BAHL, J. (ORAL)

1. Respondent-plaintiff had filed a suit for declaration in the year 1996 to the effect that order dated 06.07.1996 forfeiting five years of approved service of the plaintiff with permanent effect and also treating the period of six months and seven months as leave without pay was illegal. The said suit was decreed and the appeal filed by the State was dismissed.
2. A perusal of the paper book would show that there is no stay in favour of the appellants.
3. Learned State Counsel for the appellants, on instructions from Mr. Balbir Singh, ASI, Civil Suit Branch, C.P. (Amritsar), has submitted that the respondent has died on 08.01.2010 and his daughter has been given compassionate appointment.
4. None has appeared on behalf of legal representatives of the respondent.
5. Learned counsel for the appellants has submitted that in view of the abovesaid subsequent facts, the present appeal be disposed of at this stage but liberty be granted to the appellants to revive the case in case any cause survives to them.
6. Accordingly, the present appeal is disposed of at this stage with liberty aforesaid.
7. Liberty is also granted to the legal representatives of the respondent to revive the case in case any cause survives to them.

23.05.2025

Pawan

(VIKAS BAHL)
JUDGE

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