

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR.**

:: ORDER ::

S.B. CIVIL WRIT PETITION NO. 3814/2002.

Bhoor Singh Vs. State & Ors.

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Date of Order :: **23rd September, 2014.**

P R E S E N T

HON'BLE Dr. JUSTICE VINEET KOTHARI

Appearance:

Mr. K.R. Choudhary, for the petitioner.

Mr. Anil Bissa, Government Counsel, for the respondent-State.

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BY THE COURT:

1. The petitioner, who was working as Head Constable with the respondent-Police Department, has challenged the impugned punishment order Annexure-P/4 dated **24.08.1997** by which he was awarded with minor punishment of Censure after holding an inquiry under Rule 17 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958. The Appellate Authority as well as the Reviewing Authority have also passed orders (Annexure-P/6 and Annexure-P/8) against the petitioner. Hence, the present writ petition has been filed by the petitioner on **24.04.2002** with the following prayers:-

“It is, therefore, most respectfully prayed that the writ petition filed by the petitioner may kindly be allowed and

i) by an appropriate writ, order or direction the impugned order ANNEXURE P/4 dated August 24, 1997 may kindly be quashed and set aside

- and also subsequent orders passed by the appellate authorities as well as the Reviewing Authority ANNEUXRE P/6 dated December 23, 2000 and ANNEUXRE P/8 dated December 10, 2001, may kindly be quashed and set aside;*
- ii) by an appropriate writ, order or direction which may be considered just and proper in the interest of justice may kindly be passed in favour of the petitioner;*
- iii) The costs of this writ petition may kindly be awarded to the petitioner.”*

3. It is noticed that the petitioner was 50 years of age at time of filing of the present writ petition in the year 2002 and he has since retired from the services of the respondents on achieving the age of superannuation and he is being paid regular pension and, therefore, the issue which is sought to be raised in this writ petition has become an academic issue and the writ petition has become infructuous.

4. The learned counsel for the petitioner does not dispute this position and has no objection in disposal of this writ petition as infructuous.

5. Accordingly and in view of the above, this writ petition is dismissed as infructuous. A copy of this order be sent to the parties concerned forthwith.

(Dr. VINEET KOTHARI), J.