

29.12.2006 Present: Mr.Onkar Jairath, Advocate, for the petitioners.

Mr.C.B. Singh, Deputy Advocate General, for respondents
No.1 to 4.

None for respondent No.5.

Learned counsel for the petitioners states that respondent No.5 has been acquitted of the criminal case which has been instituted against him on the basis of First Information Report as also a complaint instituted by the petitioners. Appeal against acquittal is pending in this Court.

The grievance of the petitioners in the writ petition was that the police was not taking any action against respondent No.5 for his alleged misappropriation.

In view of the fact that respondent No.5 has been tried by a Court of competent jurisdiction and the appeal is pending in this Court and also the fact that the respondent No.5 has retired from government service, the relief prayed for in the writ petition does not survive. The writ petition is, therefore, disposed of as being infructuous. There shall be no order as to costs.

December 29, 2006
(aks)

(Dev Darshan Sud)
Judge