

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.W.P. No.17945 of 2007

Date of decision: November 30,2007

Vanita Sahota V. State of Punjab and others

CORAM: HON'BLE MR.JUSTICE J.S.KHEHAR  
HON'BLE MR.JUSTICE SHAM SUNDER

Present: Mr. T.P.Singh, Advocate, for the petitioner.  
Mr. B.S.Chahal, AAG, Punjab,for respondents No.1 and  
2.  
Mr.M.L.Saini, Advocate, for respondent No.3.

J.S.Khehar,J.(Oral)

Mr. Ashok Kumar Sikka, Chief Executive Officer, respondent No.3, is present in court in person. Respondent No.3 has handed over to us in court today photocopy of a communication dated 21.11.2007 which was received by the petitioner on 27.11.2007. The same is taken on record and marked as Annexure 'A'. In view of Annexure 'A' , learned counsel for the respondents state that the impugned order dated 21.11.2007 (Annexure P/11) has since been withdrawn.

In view of the above, it is apparent that the instant writ petition has been rendered infructuous. The same is, accordingly, disposed of as having been rendered infructuous.

Despite the passing of the instant order, learned counsel for the petitioner states that the merit list appended to Annexure 'A' cannot be the basis of taking action against the petitioner on account of the fact that the petitioner was selected from an earlier process of selection i.e. earlier to the one where from the aforesaid merit list

has been prepared. It is not necessary to record any finding on the issue in hand. It will be open to the petitioner to seek an appropriate defence including the one referred to hereinabove, if any show cause notice is issued to him and in case any such defence is raised, it is apparent that the respondents shall record a finding thereof.

Disposed of accordingly.

( J.S. Khehar )  
Judge

November 30,2007  
sks

( Sham Sunder )  
Judge