

IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL
WRIT PETITION NO. 60 OF 2002 (SB)

Rajendra Prasad NautiyalPetitioner.

Versus

Chief Engineer, Public Works Department (Level-I),
Uttarkashi and others.Respondents.

Mr. D.S. Bisht, Advocate holding brief of Mr. Rakesh Thapliyal, Advocate
for petitioner.
Mr. N.P. Sah, Standing Counsel for State of Uttarakhand/respondents.

30th October, 2009

Hon'ble Sudhanshu Dhulia, J.

Heard Mr. D.S. Bisht, Advocate holding brief of Mr.
Rakesh Thapliyal, Advocate for petitioner and Mr. N.P.
Sah, Standing Counsel for State of
Uttarakhand/respondents.

In this case on 22.10.2009, the following order was
passed:

“Mr. Rakesh Thapliyal, Advocate for petitioner.

**Mr. N.P. Sah, Standing Counsel for State of
Uttarakhand.**

**As per the averments of the counter affidavit,
the petitioner is a Draft-man in Public Works
Department of Uttarakhand. The writ petition has
been filed by the petitioner against his order of
termination and also for regularisation of his service.
In the counter affidavit filed on behalf of the
respondents, it has been stated that the petitioner
has been granted ad-hoc appointment.**

**On the basis of the averments made in the
counter affidavit and the documents filed in the
counter affidavit, the learned Standing Counsel states
that cause of action no more survives in the present
writ petition and the petition be dismissed as
infructuous.**

Learned counsel for the petitioner seeks one week's time to get instructions in this matter. Time is granted.

List this matter on 30th October, 2009 in first five cases of the daily cause list."

Today, Mr. D.S. Bisht, Advocate holding brief of Mr. Rakesh Thapliyal, learned counsel for the petitioner has given a statement at the bar that the cause of action no more survives in the present writ petition and the matter has become infructuous.

As the writ petition has become infructuous, the writ petition is being dismissed.

Writ petition is dismissed. No order as to costs.

(Sudhanshu Dhulia, J.)
30.10.2009

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