

**CWP(T) No. 7448/2008**

31.10.2011

Present: Mr. Adarsh K. Vashishta, Advocate, for the petitioner.  
Mr. Vinod Thakur, Dy. A.G. for the respondents-State

Notice in the petition was issued on 21.9.2001, inspite of admission reply has yet not been filed by the State.

2. According to the petitioner, no recovery could be effected in view of various notifications/orders (Annexures A-3 & A-4) issued by the respondents-State. On 21.9.2001, this Court, in the instant petition, passed the following order:

"Issue notice pending admission reply be filed within six weeks. Learned Addl. Advocate General waives service of notice on behalf of respondents. In the meanwhile operation of impugned order Annexure A-5 dated 20.3.2001 qua the appellant is stayed till further orders."

3. The same is still in operation. As such, without adjudicating the issue on merits, as prayed for by the learned counsel for the petitioner, there shall be a direction to respondent No.2 to look into the matter and take appropriate action, after associating the petitioner by taking into account notification dated 29.11.1991 (Annexure A-3) and orders dated 10.4.1992 (Annexure A-4). Needful shall positively be done within a period of three months from the date of receipt of the certified copy of the judgment. Till the decision is taken, no recovery shall be effected from the petitioner.

4. With the aforesaid observations, petition stands disposed off.

**October 31, 2011**  
**(rana)**

**( Sanjay Karol ),**  
**Judge.**