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**HIGH COURT OF JAMMU & KASHMIR AND LADAKH**  
**AT SRINAGAR**

WP(C) No. 1404/2022

WP(C) No. 1917/2021

**Abdul Rashid Shah**

..... Petitioner (s)

Through: Mr. M Y Bhat, Sr. Adv. with Mr.  
Prince Hamza, Adv.

V/s

**Union Territory of J&K & Ors.**

..... Respondent(s)

Through: Mr. Bikramdeep Singh, Dy. AG

**Coram:**

**Hon'ble Mr. Justice Sanjay Dhar, Judge.**

**ORDER**

22.07.2024

In the writ petition bearing WP(C) No. 1917/2021, the petitioner has thrown challenge to OM No. GAD/VIGOSP/19/2021-02-GAD dated 24.08.2021 and order No. DULB/Estt/3762/474 of 2021 dated 09.09.2021 whereby the petitioner has been placed under suspension pending inquiry into the matter, while as in another writ petition bearing WP(C) No. 1404/2022, the petitioner has thrown challenge to order dated 09.06.2022 whereby after the stay of earlier suspension order dated 09.09.2021, the petitioner has again been placed under suspension. Learned Senior Counsel appearing on behalf of the petitioner has submitted that during the pendency of these writ petitions, the petitioner has been superannuated from service on 31.03.2024. This fact is not disputed by learned counsel for the respondents.

In view of the above, the relief relating to the reinstatement of the petitioner in service has been rendered infructuous. However, the question relating to the validity of the action of the respondents to initiate inquiry against the petitioner still remains to be determined. Therefore, learned counsel for the respondents shall inform this Court on next date of hearing as to whether any inquiry has been initiated against the petitioner and if so, he shall also inform the status thereof.

At this stage, learned Senior counsel appearing on behalf of the petitioner on instructions submits that there is no inquiry pending against the petitioner but still the pensionary benefits of the petitioner are not being released by the respondents. If that be the case, learned counsel for the respondents shall further inform this Court as to why the pensionary benefits of the petitioner are not being released in his favour.

List on 31.08.2024.

(Sanjay Dhar)  
Judge

**SRINAGAR**

22.07.2024

*Aasif*