

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

LPA No. 1661 of 2015 (O&M)

DATE OF DECISION : 18.11.2015

State of Haryana and others

.... APPELLANTS

Versus

Wazir Singh and another

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present : Mr. Sandeep Moudgil, Addl. A.G., Haryana,
for the appellants.

* * *

SATISH KUMAR MITTAL, J. (Oral)

Wazir Singh (respondent No.1 herein) filed Civil Writ Petition No. 16620 of 2015, challenging the order dated 06.08.2015 (Annexure P-2) transferring him from Kurukshetra to Panchkula. In his place, Surinder Singh (respondent No.2 herein) was transferred to Kurukshetra. It is the case of the appellants that Surinder Singh was transferred on his own request. Despite repeated directions to the appellants, when no written statement was filed, the learned Single Judge passed the following interim order on 24.08.2015 :-

“Despite repeated directions to the respondents, they have neither filed any reply nor have given any intimation to the Court, therefore, the impugned order is ordered to remain stayed and as a consequence the petitioner shall continue at

the place where he was posted prior to the passing of the impugned order. The respondents are burdened with costs of Rs. 20,000/- for sheer wastage of the time of the court by not providing the necessary instructions to the office of the Advocate General, Haryana. The costs shall be deposited before the Mediation and Conciliation Centre of this Court before the next date of hearing.

Adjourned to 19.11.2015.”

The appellants have challenged the aforesaid order by filing the instant intra-court appeal under Clause X of the Letters Patent.

There is delay of 54 days in filing the appeal and the appellants have filed application (CM No. 3549-LPA of 2015) for condoning the said delay. This shows the casualness of the appellants in dealing with the matter.

After hearing learned counsel for the appellants and keeping in view the aforesaid facts, we are not inclined to interfere with the impugned interim order passed by the learned Single Judge. Generally, written statements are not being filed in time and some times, the courts are compelled to pass harsh interim orders. In the present case also, same thing has happened. Thus, we do not find any ground to interfere with the impugned order.

No merit. Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

November 18, 2015

(SHEKHER DHAWAN)

ndj

JUDGE