

CWP No.3528 of 2006 (O&M)

Date of Decision: 18.05.2016

Raghubir Singh Dhanda

..... Petitioner

Versus

The Registrar Cooperative Society, Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. R. K. Malik, Senior Advocate with
Mr. J. P. Dhull, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana
for respondent No.1-State.

Mr. Karan Bhardwaj, Advocate
for respondent No.2.

DEEPAK SIBAL J. (ORAL)

CM No.3601-CWP of 2016

Through this application, amendment of the writ petition has been sought for.

Notice of the application has already been issued to counsel for the non-applicant/respondents but no reply has been filed.

After hearing learned counsel for the parties and going through the contents of the application, the same is allowed and the amended writ petition is ordered to be taken on record.

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Learned counsel for respondent No.1-State submits that since respondent No.2 is the contesting respondent, at this stage no written statement on behalf of respondent No.1-State needs to be filed.

Learned counsel for the petitioner submits that through

order dated 12.09.2015 (Annexure P-14) the petitioner was promoted

from the post of Sub Divisional Engineer to the post of Executive Engineer and after he had joined on the promoted post, through the impugned orders dated 11.03.2016 (Annexure P-15) and 16.03.2016 (Annexure P-16), he has been ordered to be reverted without issuance of any notice and without granting of any opportunity of hearing.

Learned counsel for respondent No.2 does not controvert the afore-referred submission made on behalf of the petitioner and therefore, after seeking instructions from Mr. K. K. Sharma, Sub Divisional Officer in the office of respondent No.2, submits that respondent No.2 would withdraw the impugned reversion order dated 16.03.2016 (Annexure P-16). However, liberty is sought to proceed against the petitioner in accordance with law after following the principles of natural justice.

In view of the afore-referred submission made by learned counsel for respondent No.2, the present petition has been rendered infructuous.

Ordered accordingly.

However, respondent No.2 would be at liberty to proceed against the petitioner as per law after following the principles of natural justice.

The issue raised by the petitioner with regard to challenge to the order dated 04.05.2005 (Annexure P-4) shall remain open.

(DEEPAK SIBAL)
JUDGE

May 18, 2016