

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

**CWP No.14533 of 2015
Date of decision: 30.11.2016**

Balwinder Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Ms. Alka Chatrath, Advocate
for the petitioner.

Mr. Rupam Aggarwal, DAG, Punjab
for respondents No.1 to 3.

Mr. H.S. Baath, Advocate
for respondent No.4.

Daya Chaudhary, J. (Oral)

This petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of order dated 30.06.2015 (Annexure P-3) passed by respondent No.2 whereby, the petitioner has been ordered to be transferred from CHC Sarhali, Tarn Taran to CHC, Fattu Dzinga, District Kapurthala ignoring the fact that the department has already cancelled the transfer of the petitioner vide order dated 18.06.2015.

Learned counsel for the petitioner submits that the petitioner has again been transferred from the same place to accommodate respondent No.4 whereas request was made by respondent No.4 by forging the signatures of the petitioner.

While issuing notice of motion on 21.07.2015, following order was passed: -

“Contends that vide order being assailed dated 30.06.2015 (Annexure P3), issued by respondent No.2, petitioner has been transferred from CHC Sarhali, Tarn Taran to CHC Fattu Dhinga, District Kapurthala. Despite the fact that the Department itself had cancelled the transfer of the petitioner, vide order dated 26.06.2015 (Annexure P2) , when he was earlier sought to be transferred vide order dated 18.06.2015 (Annexure P1) to the same station, precisely, to accommodate respondent No.4.

Notice of motion.

Notice re:stay as well.

Mr.Anshul Gupta, Assistant Advocate General, Punjab, present in the Court, accepts notice on behalf of respondents No.1 to 3. Copies supplied. Learned State counsel prays for and is granted two weeks' time to seek instructions or file the written statement, with an advance copy to learned counsel for the petitioners.

Adjourned to 04.08.2015.

Process dasti as well to ensure service of respondent No.4.”

Vide order dated 16.09.2016 passed by this Court, the original file of transfer of the petitioner as well as respondent No.4 was ordered to be produced in the Court.

The original file has been produced in Court today and has been perused by learned counsel for the petitioner.

On perusal of the record, it has not been proved that the signatures of the petitioner were forged in any manner.

Learned counsel for the petitioner submits that even the request of respondent No.4 is not on record whereas learned State counsel submits that the request of respondent No.4 is on record and the same has been affirmed by learned counsel for respondent No.4.

In view of the submissions made by learned counsel for the parties, no ground is made out to interfere with the impugned order.

Dismissed.

30.11.2016
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	√ Yes/No
Whether Reportable	√ Yes/No