

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

**CWP No. 17151 of 2016
Date of decision : 05.09.2016**

Hem Singh

..... Petitioner

versus

The Haryana State Coop Agriculture & Anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Ms. Rimpal Kadyan, Advocate for the petitioner.

Mr. Arun Sharma, Advocate for respondent No.1.

Ms. Anita Sharma, Advocate for R-2.

RAJIV NARAIN RAINA, J. (Oral)

On 24.08.2016 this Court passed the following ad interim order
granting stay:-

“The petitioner has 9 months of service left before superannuation. He was serving at Jagadhari when the impugned order was passed transferring him to Ladwa Branch (Kurukshetra) as Officiating Manager. With him in Jagadhari was the private respondent Loveleen Kumar at the same rank and was posted at Shahabad and transferred to Ladwa. Loveleen Kumar had got his Ladwa posting cancelled and returned to Jagadhari while the petitioner has been transferred to Ladwa.

Though respondent No.2 Loveleen Kumar is not on caveat but Ms. Anita Sharma, Advocate, appears for him on advance Vakalatnama and waives service on him. Her presence is entered. She submits that Loveleen Kumar has joined at Jagadhari.

Respondent No.1 being a Bank is presumed to have more than one branch in Jagadhari. Loveleen Kumar has 2 ½ years of service left. Mr. Malik, learned Senior counsel appearing for the petitioner submits that there was a tragedy in the family of

the petitioner when he lost one of his two sons who was 30 years old and his wife has been in depression and is under the psychiatric treatment at Jagadhari.

Keeping in view the totality of the circumstances and of the short time left for retirement, this Court intervenes. Notice of motion to respondent No.1, returnable by 5.9.2016.

Notice re: stay as well.

Process dasti only.

In the meanwhile, there will be a stay of the transfer of the petitioner which means that he will continue in Jagadhari and earn his salary. He may be adjusted in some branch for the time being. This order would not disturb Loveleen Kumar till the Bank is heard on merits”

The bank through learned counsel has produced today an office order dated 31.08.2016 passed by the Managing Director, Haryana Cooperative Agricultural and Rural Development Bank Limited, Panchkula which has been passed in compliance with the directions reproduced above. The petitioner has been posted to the place of his choice and has joined duty, which puts an end to the disputes. Attested copy of the office order dated 31.08.2016 produced by the learned counsel for the respondent bank is taken on record as Mark-A.

The writ petition stands disposed of as above.

05.09.2016
yogesh

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No