

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

Sr. No.205

**CWP No.7527 of 2016
Date of decision: 04.05.2016**

Satvir Singh Sangwan

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Kuldeep Sheoran, Advocate
for the petitioner.

Mr. Harish Rathee, Senior DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

Through the present petition, challenge is made to the order dated 21/22.04.2016 (Annexure P-5) through which the petitioner has been ordered to be repatriated from the post of Superintendent in the office of Director, BPS Government Medical College for Women, Khanpur Kalan, Sonapat, to his parent Department i.e. to office of Principal, Chief Conservator of Forest Haryana, Panchkula.

On 23.04.2016, learned Senior counsel who appeared on behalf of the petitioner had submitted that as per one of the prescribed modes of appointment under the Haryana Medical Education Service Rules (Draft Rules of Group-B, 2011), the petitioner, by way of transfer, was appointed as a Superintendent in BPS Government Medical College for Women, Khanpur Kalan, Sonapat and after he had joined the post, through the afore-referred impugned order, his appointment to the afore-referred post had

been withdrawn without issuance of any show cause notice to him.

After hearing learned Senior counsel, notice of motion had been issued to the respondents and as an interim measure, operation of the impugned order had been ordered to be stayed.

Today, Mr. Harish Rathee, Senior DAG, Haryana, while admitting to the fact that before passing of the impugned order, principles of natural justice have not been followed, has produced order dated 03.05.2016 passed by the Additional Chief Secretary to Government of Haryana, Medical Education & Research Department, Chandigarh, withdrawing the order impugned in the present petition. He further prays for grant of liberty to proceed against the petitioner in accordance with law after following the principles of natural justice.

Once the impugned order has been withdrawn, the present petition has been rendered infructuous.

However, respondents are granted liberty to proceed against the petitioner in accordance with law and after following the principles of natural justice.

The writ petition stands disposed of in the above terms.

Copy of the order dated 03.05.2016 is ordered to be taken on record and mark as Annexure 'A'.

(DEEPAK SIBAL)
JUDGE

May 04, 2016
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