

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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COCP No.2440 of 2017

Date of decision: 7.9.2017

Zile Singh

... Petitioner

versus

Rup Ram Zawal and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Sandeep Sharma, Advocate,
for the petitioner
Mr.Hitesh Pandit, Adddl.AG, Haryana
...

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioner alleges that the respondents have violated the order of this Court dated 12.4.2016 (clarified vide an order dated 19.5.2016), whereby the operation of the order impugned in the writ petition earlier filed by him, i.e. CWP No.6951 of 2016, was ordered to be stayed. Thus, by the said order of this Court, the petitioners' transfer from the office of RTA, Rewari, to the Head Office at Chandigarh was stayed.

In the present petition, it is alleged that even during the pendency of CWP No.6951 of 2016, while the aforesaid stay order continued to operate, the petitioner was transferred vide an order dated 16.8.2017 (Annexure P-2), from Rewari to Palwal.

A perusal of the said order, however, shows that the petitioner had been transferred from Rewari to Palwal upon his promotion as an Assistant Secretary.

Other than the fact that CWP No.6951 of 2016 has been withdrawn by the petitioner today itself, the petitioners' transfer from Rewari to Palwal was upon his promotion. On query as to whether he wishes to forego his promotion and opts to stay at Rewari, the reply is in the negative.

Consequently, as the order of stay, was on the petitioners' transfer as an Assistant Secretary from the office of the RTA, Rewari, to the Head Office at Chandigarh, and the order which is alleged to be in violation of the stay orders of this Court (Annexure P-1 colly), is a transfer order to Palwal, on promotion of the petitioner, no contempt is made out, with the petitioner having refused to forego his promotion.

This petition is dismissed.

7.9.2017
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No