

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

**Civil Writ Petition No.5992 of 2015
Decided on : 24.08.2017**

Vijender Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Deepak Sonak, Advocate for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

Mr. Anurag Kulharia, Advocate for
Mr. Anurag Goyal, Advocate for respondent No.3.

G.S. Sandhawalia, J. (Oral)

The ding dong battle between the petitioner and respondent No.3 has led to this Court being forced to intervene in transfer orders which are not to be done in normal circumstances. It is on account of their efforts to stay at one place which has led to transfer orders *inter se*. The battle is for transfer to CHC Kilo, District Rohtak on the post of MPHS.

The petitioner-Vijender Singh was transferred on request at the first instance on 24.12.2014 to CHC Kilo. The same was got cancelled by the private respondent-Rajinder Singh on 13.01.2015 (Annexure P-2). Thereafter, it was the turn of the petitioner to exert his influence and he got the order dated 13.01.2015 (Annexure P-2) cancelled vide order dated 12.02.2015 (Annexure P-3). Resultantly, the private respondent approached this Court in CWP No.2969 of 2015 (Annexure P-4) and the order dated 12.02.2015 (Annexure P-3) was stayed, thus, Annexure P-2 came into force. Thereafter, vide impugned order dated 24.03.2015 (Annexure P-5) the order

dated 12.02.2015 was cancelled in view of the order passed by this Court, which is now the subject matter of the present writ petition leading to the writ petition filed by the respondent to become infructuous.

The petitioner was thereafter also protected while issuing notice of motion on 31.03.2015 and therefore both of them continue to stay at CHC Kilo. i.

In the written statement also it has been specifically mentioned that the petitioner has served more than 18 years at that place. The details of the respondent No.3 having served in District Rohtak has also been mentioned wherein he has also served at CHC Kilo. i and thereafter served at District Malaria Office, Rohtak and General Hospital Meham. Both of them being permanent residents of District Rohtak have served most of the time in District Rohtak. The petitioner has thus enjoyed the benefit of stay order for the last more than two years.

Resultantly, this Court is of the opinion that the currency of the interim order is liable to run out of steam. Accordingly, the present writ petition is disposed of as having been rendered infructuous. It will be open to the respondent No.2 to post the petitioner and respondent No.3 at places which are conducive for the working of smooth administration. Accordingly, all interim orders stand vacated.

AUGUST 24, 2017
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No