

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

**CWP-57-2016 (O&M)
Date of decision: 11.12.2017**

Kulwant Singh

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Gourave Bhayyia, Advocate for the petitioner.

Mr. TPS Chawla, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

The petitioner, who is serving on the post of Junior Engineer under the Department of Rural Development and Panchayat filed the instant petition assailing two transfer orders. The first order assailed was dated 10.07.2015 (Annexure P-2), whereby petitioner was transferred from Sarhind to Mahilkalan. The second order impugned was dated 20.08.2015 (Annexure P-3) transferring the petitioner from Block Mahilkalan District Barnala to Block Arniwala.

The writ petition came up for preliminary hearing before this Court on 07.01.2016 and the following order was passed:

“The petitioner complains that he has been transferred thrice in a short span and two of which entailed physical movement with his family. These transfers were ordered on 15.7.2014, 10.7.2015 and 20.8.2015. Presently, he has been transferred from Mahil Kalan to Arniwala which is 300KM distant. This will occasion needless harassment, dislocation and disharmony in his service career.

Further contends that the transfer has been accorded without due application of mind and the transfer appears to

have resulted from bulk postings and transfers.

Notice of motion, returnable by 28.1.2016.

Mr. Inqulab Nagpal, AAG, Punjab accepts notice on behalf of the respondents and waives service on them. Mr. Gourave Bhayyia to supply 7 sets of the paper book to Mr. Nagpal during the course of the day. Mr. Nagpal to obtain instructions from the Secretary, Department of Rural Development and Panchayat, Punjab for any ameliorative action required to be taken after personally examining the matter. Let the view of the Secretary be placed before this Court on the next date of hearing.”

Thereafter, on 09.05.2016, this Court issued interim directions whereby operation of both the impugned orders of transfer dated 10.07.2015 and 20.08.2015 were stayed.

Learned State counsel upon instructions from Sh. Jagjit Singh, Junior Assistant, Department of Rural Development and Panchayat, Mohali apprises the Court that the entire matter has been reconsidered and an order dated 21.06.2016 has been passed by the Director, Rural Development and Panchayat, State of Punjab, whereby the impugned orders of transfer have been cancelled and the petitioner has been retained at Sarhind itself. A photocopy of the order dated 21.06.2016 passed by the Director of the Department is taken on record as mark 'A'.

In the light of such development, nothing survives in the instant petition and the same is disposed of as infructuous.

11.12.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No