

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

**Civil Writ Petition No. 14856 of 2017 (O&M)
Date of Decision: 11.09.2018**

Surinder Mohan

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vishal Gupta, Advocate
for the petitioner.

Mrs. Anju Sharma Kaushik, Deputy Advocate General, Punjab
for the respondents-State.

JASWANT SINGH, J. (ORAL)

Petitioner (Surinder Mohan) joined as 'Junior Engineer' in the Department of P.W.D. (B&R), Amritsar on 28.08.1986, and while working as 'Sub Divisional Engineer' at Bathinda, he was transferred to Ferozepur vide order dated 05.07.2017 (**Annexure P-2**).

By filing the present petition, the petitioner seeks quashing of the aforesaid transfer order dated 05.07.2017 (**P-2**), as the same was passed in violation of the Transfer Policy dated 11.04.2017 (**Annexure P-3**).

This Court, while issuing notice of motion vide order dated 12.07.2017, had stayed the aforesaid transfer order dated 05.07.2017 (**P-2**), the same is re-produced as under:-

*“ Present:- Mr. Kewal Singh, Advocate
for the petitioner.*

*Learned counsel for the petitioner submits
that impugned transfer order has been passed in violation
of the transfer policy as the petitioner is going to retire on*

31.8.2018. At the present place of posting, the stay of the petitioner is only two years, whereas, as per transfer policy, he cannot be transferred within a period of less than three years. Learned counsel further submits that there was no complaint against the petitioner and he has been transferred just to give benefit to the person, who has been transferred against him.

Notice of motion for 25.10.2017.

Meanwhile, operation of impugned order dated 5.7.2017 (Annexure P-2) shall remain stayed.

July 12, 2017

*(DAYA CHAUDHARY)
JUDGE ”*

Upon notice, a reply by way of affidavit dated 09/12.10.2017 of Sh. Ashok Singla, Chief Engineer, National Highway, PWD (B&R), Patiala, on behalf of the respondents has been filed.

At the time of hearing today, counsel for the petitioner states that the petitioner has since retired from the service on 31.08.2018, therefore, nothing more survives for adjudication in the present writ petition as the same has become infructuous

'Dismissed as Infructuous'.

September 11, 2018

'dk kamra'

**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>