

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

**Civil Writ Petition No. 17702 of 2018 (O&M)
Date of Decision: 24.08.2018**

Gurdial Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Chander Shekhar Sharma, Advocate for
Mr. Karan Singla, Advocate
for the petitioner.

Mrs. Anu Chatrath Kapur, Additional Advocate General, Punjab
for the respondents-State and assisted by
Mr. Gurbinder Singh, Sr. Assistant, Deptt. of Water Resources, Punjab.

JASWANT SINGH, J. (ORAL)

Petitioner (Gurdial Singh) is serving as 'Sub Divisional Engineer' in the Department of Water Resources, Punjab, and has challenged his transfer from Gurdaspur to Batala vide order dated 16.07.2018 (**Annexure P-1**).

This Court, while issuing notice of motion on 30.07.2018, had passed the following order:-

“Petitioner is working as a Sub Divisional Engineer in the Department of Water Resources and upon reaching the age of superannuation of 58 years is due to retire on 31.10.2018.

Challenge is to the order dated 16.7.2018 (P-1) whereby he has been transferred from Gurdaspur to Batala.

It is contended that in view of the ensuing age of retirement of the petitioner, petitioner falls within the

category of special case as per the Transfer Policy and his transfer had been ordered in violation of the said Policy dated 23.4.2018 (P-2). It is submitted that the petitioner would not seek extension if granted for more than one year.

Notice of motion for 24.08.2018.

On the asking of the Bench, Mrs. Anu Chatrath Kapoor, Senior Advocate, Additional Advocate General, Punjab assisted by Ms. Anju Sharma Kaushik, DAG Punjab accepts notice.

Learned Counsel for the petitioner undertakes to furnish requisite number of copies of writ petition to the learned State Counsel during the course of the day.

To be shown in urgent. ”

At the time of hearing, learned State Counsel, on instructions from Mr. Gurbinder Singh, Sr. Assistant, Deptt. of Water Resources, Punjab, states that a fresh order dated 13.08.2018 stands passed, whereby the petitioner is to join back in Gurdaspur district w.e.f. 01.10.2018, and the said order has also been accepted by the petitioner,

Proxy counsel for the petitioner also concedes that the grievance has been redressed, therefore, prays for unconditional withdrawal of the present petition.

'Dismissed as Withdrawn'.

It is made clear that the petitioner shall be bound by his stand *qua* not seeking extension, if granted for more than one year, as taken in previous order dated 30.07.2018.

August 24, 2018

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**(JASWANT SINGH)
JUDGE**

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