

**RA-CW No.17 of 2018 in
CWP No.166 of 2018**

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**RA-CW No.17 of 2018 in
CWP No.166 of 2018
Date of Decision: 07.02.2018**

Krishan Kumar

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

Mr. Harish Rathee, Sr. DAG, Haryana.

Mr. Sanjay Kaushal, Sr. Advocate,
with Mr. Mandeep Singh, Advocate,
for the applicant-respondent No.3.

RAJIV NARAIN RAINA, J. (Oral)

Mr. Rathee draws attention of this Court to a short reply by way of affidavit dated February 06, 2018 and points out to inadvertent clerical error in using the expression “set aside” while it should have been “recalled” for the reason set out in the speaking order dated February 05, 2018 passed by the Principal Secretary to Government of Haryana, Irrigation & Water Resources Department a copy of which is placed at Annex R-1. The order discloses the issue regarding transfer and posting of the petitioner vice the private respondent and takes the view that the representation deserves to be rejected since the plea taken by the petitioner has been found not tenable. The short reply is taken on record.

**RA-CW No.17 of 2018 in
CWP No.166 of 2018**

-2-

In view of the passing of the order dated February 05, 2018 a fresh cause of action has arisen and accordingly, the review application is dismissed with liberty to the petitioner to challenge the order in accordance with law.

The stay is vacated.

**(RAJIV NARAIN RAINA)
JUDGE**

07.02.2018

manju

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No