

(103) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.17215 of 2015
Date of decision: 04.04.2019

Mrs. Meenu Dhull and others

.... Petitioners

Versus

State of Haryana and others

.... Respondents

BEFORE: HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Raman B. Garg, Advocate for the petitioners.
Ms. Shruti Jain Goyal, DAG, Haryana.
Mr. Ramesh Malik, Advocate for respondent No.4.

B.S. WALIA, J. (ORAL)

[1] Prayer in the writ petition is for the issuance of a writ of certiorari for quashing of the impugned transfer order Annexure P/2 dated 07.08.2015 as also for issuance of writ of Mandamus directing the respondents to take departmental action against respondent No.4.

[2] Learned counsel for the petitioners states that as far as prayer for quashing of the impugned transfer order dated 07.08.2015 (Annexure P-2) is concerned, he does not press the same in view of the petitioners having been subsequently transferred to different stations.

[3] As regards the prayer for issuance of writ of Mandamus for directing the respondents to take departmental action against respondent No.4, learned Dy. Advocate General has referred to paragraph Nos.6 and 7 of the preliminary submissions in the written statement filed on behalf of respondent Nos.1 to 3 wherein it has been mentioned that charge-sheet has

been issued to respondent No.4 under Rule 8 of Haryana Civil Services (Punishment and Appeal) Rules, 1987 vide Memo No.5/30-2015 HRG-II (1) dated 08.10.2015.

[4] Learned counsel for the petitioners states that in view of the prayer of the petitioners having been answered, the writ petition may be disposed of by directing the official respondents to take the charge-sheet issued to respondent No.4 to its logical conclusion.

[5] In view of the position as noted above, the writ petition is disposed of as having become infructuous. However, the respondents are directed to conclude the departmental proceedings initiated against respondent No.4 in accordance with law and if warranted, take such action as may be deemed appropriate in the facts and circumstances of the case.

[6] At this stage, learned DAG states that the petitioners have also been vitiating the atmosphere besides are not taking proper interest in imparting education to the children studying in the school for which the Department proposes to take action against the petitioners in accordance with the Rules and Regulations applicable.

[7] Needless to mention, it would always be open to the Department to take action against an employee, if the circumstances of the case so warrant, in accordance with law.

04.04.2019

amit

(B.S. Walia)
Judge

1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.