

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 16.08.2019****CWP No.5112 of 2018**

Jasbir Singh

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Shashank Shekhar, Advocate, for
Mr. Amit Jhanji, Advocate, for the petitioner.

Mr. Saurav Mohunta, DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

When the matter was heard in preliminary hearing on
01.03.2018, the suspension order was stayed by passing the following order:

“While stationed at Jhajjar the petitioner was given additional charge for two days in a week at Charkhi Dadri because there was shortage of staff at the place of additional charge. On 06.02.2018 the RTA, Jhajjar wrote to the Transport Commissioner, Haryana complaining of shortage of staff on the temporary transfer to Head Quarters of Jitender Talwar and Rakesh Kumar. Below the endorsement in the letter dated 06.02.2018 (Annex P-5) there was a request by RTA, Jhajjar that the petitioner cannot be relieved of his duties due to shortage of staff in the Jhajjar office. The Transport Commissioner without taking steps to address the issue raised by RTA, Jhajjar has suspended the petitioner on 27.02.2018, acting on a note by RTA, Charkhi Dadri dated 20.02.2018 that the petitioner has been absent on duty on Tuesday and Thursday i.e. on 06.02.2018, 08.02.2018, 13.02.2018, 15.02.2018 and 20.02.2018. These dates all fall on or after 06.02.2018. Therefore, Mr. Jhanji argues that if the

petitioner was not relieved from Jhajjar by his superior officer i.e. RTA, Jhajjar at Bahadurgarh how could he attend duties at Charkhi Dadri.

Notice of motion returnable by 05.04.2018.

Notice re.: stay.

In the meanwhile, the suspension order dated 27.02.2018 (P-7) shall remain stayed till further orders. This would mean that the petitioner would continue for the time being as TSI in Jhajjar at Bahadurgarh.”

Today, Mr. Mohunta has produced an order of the Transport Commissioner, Haryana dated 07.05.2018 withdrawing the order of suspension, which renders the petition infructuous.

Accordingly, this petition is dismissed as having been rendered infructuous.

A photocopy of the order dated 07.05.2018 is retained on record as Mark ‘A’.

16.08.2019
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No