

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

CWP No. 6777 of 2020
Date of decision: 16.03.2020

Sunil Petitioner

Versus

State of Haryana and Ors. Respondents

Present: Mr. S.K. Nehra, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Article 226/227 of the Constitution of India is for the issuance of a writ of Certiorari for quashing order, Annexure P/3 dated 06.03.2020 transferring the petitioner from Municipal Council, Bahadurgarh (Jhajjar) to Municipal Council, Narnaul contrary to instructions, Annexure P/5 dated 07.04.1989 issued by the Chief Secretary to the Government of Haryana.

[2] After arguing for some time, learned counsel for the petitioner prays for permission to withdraw the writ petition with liberty to file a comprehensive representation and directions being issued to respondent No.2 to consider and decide the same in accordance with law in a time bound manner and to permit the petitioner to continue at his present place of posting till such time the decision is taken on the representation.

[3] Notice of motion to respondent No.2 only.

[4] Mr. Harish Rathee, Sr. DAG, Haryana, who is present in Court, accepts notice, waives service and states that he has no objection to the limited prayer of learned counsel for the petitioner.

[5] Without commenting upon the merit of the controversy or the entitlement of the petitioner to the relief claimed, the writ petition is disposed of by granting liberty to the petitioner to submit a comprehensive representation within 10 days from today. In case any such representation is received within the stipulated period of time, respondent No.2 shall consider and decide the same in accordance with law after taking into account all aspects of the matter as expeditiously as possible preferably within a period of two weeks thereafter. Till such time that the representation is not decided, the petitioner shall be allowed to continue at his present place of posting (i.e. Municipal Council, Bahadurgarh). However, it is made clear that in case the representation is not submitted within the stipulated period of time then the interim protection granted shall automatically stand vacated.

(B.S. Walia)
Judge

16.03.2020
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1. Whether speaking/reasoned: Yes/No.
2. Whether reportable : Yes/No.