

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

CWP No. 7049 of 2020
Date of decision 06.11.2020

Gurdeep Singh

...Petitioner

Vs.

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Padamkant Dwivedi, Advocate,
for the petitioner.

Mr. Hitesh Pandit, Addl.A.G. Haryana

Mr. Mayank Aggarwal, Advocate
for respondent No. 4

Ritu Bahri, J. (Oral)

On oral request of learned counsel for the parties, the matter is taken up today itself for disposal.

On 18.03.2020, this Court passed the following order:-

“Petitioner is seeking quashing of the order dated 13.03.2020 (Annexure P-14), whereby he has been transferred from Sonapat to Nuh (Mewat). His grievance is that vide order dated 07.03.2019 (Annexure P-1), respondent No.4-Raj Singh had been transferred to Mewat on the ground that he had completed three years at Sonapat. Even if, respondent No.4 is due to retire on 31.03.2020, petitioner's transfer order from Nuh to Sonapat cannot be cancelled. Respondent No.4 can be adjusted at any vacant post till his superannuation.

Notice of motion for 10.08.2020.

Operation of the impugned transfer order dated 13.03.2020

(Annexure P-14) shall remain stayed. Meanwhile, respondents can adjust respondent No.3 at any vacant post in Sonapat.

As per written statement filed on behalf of respondent Nos. 1 and 2, it has been stated that respondent No. 4 joined the office of District Program Officer Sonapat on 17.03.2020 and pension case of respondent No. 4 was sent to the office of Accountant General, Haryana vide letter dated 19.03.2020. The retirement of respondent No. 4 was due on 31.03.2020. Further respondent No. 4 was relieved before noon by the office of District Program Officer Sonapat to District Program Officer Nuh, vide order dated 31.03.2020 (R-1). All retiral benefits have been given to respondent No. 4 except leave encashment, which is under process.

In view of the written statement, no further orders are required to be passed in the present petition, as in the present case, the transfer order qua petitioner was ordered to be stayed.

Since respondent No. 4 has already been retired, the official respondents i.e respondent Nos. 1 and 2 are directed to release the Leave encashment within a period of four weeks from the date of receipt of certified copy of this order. Further petitioner be retained at Sonapat.

C.M. No. 7325-2020

Since the main case is decided, no further orders are required to be passed in this application.

Disposed of.

06.11.2020
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No