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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.8728 of 2020

Date of decision: 06.07.2020

Iqbal Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Paras Jagga, Advocate
for the petitioner.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

Mr. R.S. Kalra, Advocate
for the applicant – Kanwarjit Singh, Patwari.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this civil writ petition is for quashing the order dated 05.06.2020 (Annexure P-5) vide which the petitioner, who is serving as a Patwari has been transferred from Muktsar Circle-I to Udeykanbeer Circle.

The counsel for the State has taken an objection that the petitioner is going to retire in the year 2021 and his transfer is only within the circle of Sri Muktsar Sahib i.e. from one circle to the other circle and the same is within 01 Km from his place of residence and therefore, there is no violation of the existing transfer policy of the government. Counsel for the State has raised further objection that without filing any representation before the Deputy Commissioner, Sri Muktsar Sahib, the petitioner has filed the present petition.

Faced with the same, the counsel for the petitioner submits

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that this civil writ petition be disposed of with liberty to the petitioner to file a representation with the Deputy Commissioner, Sri Muktsar Sahib.

In case the petitioner files the representation before the Deputy Commissioner, Sri Muktsar Sahib within a period of 07 days from today, the same will be decided on or before 05.08.2020, after affording an opportunity of hearing to the petitioner.

At this stage, counsel appearing for the applicant – Kanwarjit Singh submits that since he has been transferred in place of the petitioner, he has not been impleaded as a party and thus, he should also be afforded an opportunity of hearing.

Liberty is granted to the petitioner to file afresh petition before this Court in case any adverse order is passed.

(ARVIND SINGH SANGWAN)
JUDGE

06.07.2020
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No