

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.102

COC-1404-2020

Date of decision : 27.7.2020

Lakhvir Singh

..... Petitioner

VERSUS

Seema Jain

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. C.L. Premy, Advocate with
Ms. Amarjit Kaur, Advocate, for the petitioner.

Ms. Deepali Puri, AAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner is aggrieved as an alleged order of transfer dated 20.5.2020 (annexure P-3) has been passed during the currency of a stay order dated 11.12.2019, passed by this Court.

Learned counsel for the petitioner submits that the petitioner was transferred vide order dated 28.11.2019 and the same was challenged in this Court vide CWP-35939-2019. Keeping in view, the frequency of his transfer, this Court stayed order dated 28.11.2019. The stay was till the next date of hearing, i.e. 27.1.2020, but reply was not filed and the matter was adjourned to 4.9.2020. The stay order has not been vacated and yet, in violation of stay order, a transfer order dated 20.5.2020 (annexure P-3) has been issued.

On being asked to justify the transfer order dated 20.5.2020, learned State counsel submits that it is not a transfer order. The petitioner has been given a different charge at the same station and thus, there is no violation of the order dated 11.12.2019, passed by this Court.

A perusal of order dated 20.5.2020 (annexure P-3) makes it

Amritsar at Block Raiya, which was his earlier place of posting also. Thus, there is no violation much less willful violation of order of stay granted by this Court.

The petition is without merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

27.7.2020
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No