

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

CWP No. 29065-2018 (O&M)

Date of decision : 28.01.2020

Anand

...Petitioner

versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Anurag Goyal, Advocate
for the petitioner.

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

Ms. Ramneeq Kaur Jawanda, Advocate
for respondent No. 2

RITU BAHRI, J.

The present petition under Article 226/227 of the Constitution of India is for quashing of order of cancellation of transfer dated 30.10.2018/05/06.11.2018 (P-5), as the petitioner was ordered to be transferred from Panchkula to Hisar vide order dated 13.09.2018 (P-3). Further prayer of the petitioner is to allow him to continue as Sub Divisional Officer at Hisar, in pursuance of order dated 13.09.2018 (P-3)

On 16.11.2018, this Court passed the following order:-

“Learned counsel submits that initially the petitioner was transferred to Panchkula on his request on 24.07.2017/01.08.2017, as his wife was in the family way. Thereafter, petitioner was again transferred to Hisar, vide order dated 13.09.2018/17.09.2018. The petitioner immediately joined at Hisar and got government accommodation as well. But now within a period of one month, the transfer order dated 13.09.2018/17.09.2018 of the petitioner was cancelled.

Learned counsel inter alia contends that this transfer order has been cancelled just to favour respondent No. 2 and there was no administrative exigency to cancel the order of transfer of the petitioner. Respondent No. 2 was

working in Hisaar since 2010.

Notice of motion for 13.12.2018.

On asking of the Court, Mr. Harish Rathee, Sr. DAG Haryana accepts notice on behalf of the State. Learned counsel for the petitioner shall supply copy of the petition to learned State counsel by today itself.

In the meantime, operation of impugned order dated 30.10.2018/ 5-6.11.2018 (Annexure P-5) shall remain stayed.

*A copy of this order be given **dasti** to learned counsel for the petitioner under the signatures of Court Secretary/Reader attached to this Court.”*

On notice of this petition, a short reply dated 30.01.2019 has been filed on behalf of respondent No. 1 and as per reply, the transfer order (P-3) has been cancelled vide order dated 05.11.2018 (P-5) and thereafter, in compliance of order dated 13.12.2018, respondent No. 2 has been adjusted in Construction Sub Division No. 10, Hisar w.e.f 01.02.2019 against vacancy to be occurred on account of retirement of Sh. Mohnder Singh Pahil, SDO on 31.01.2019, vide order dated 25.01.2019 (R-1).

In view of the above reply, the present petition is dismissed as having become rendered infructuous.

28.01.2020

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No