

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

**CWP No.7352-2021 (O&M)
Date of Decision:26.03.2021**

Naveen Dahiya

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. A.P.S. Sandhu, Advocate for the petitioner.

TEJINDER SINGH DHINDSA J.(Oral)

Petitioner is working as Assistant Engineer and currently posted at the Sonipat Sugar Mill, Sonipat, Haryana.

Instant writ petition has been filed seeking a writ of prohibition to restrain on the transfer of private respondent No.5 as Chief Engineer on deputation basis at Sonipat Cooperative Sugar Mill Limited, Sonipat.

Entire case projected is that at present an enquiry is going on against respondent No.5 regarding an incident of a turbine blast which took place at Sonipat Cooperative Sugar Mill in the year 2017 and in which the petitioner is a witness. Apprehension raised is that in case private respondent No.5 is transferred on deputation basis as a Chief Engineer at Sonipat Cooperative Sugar Mill, Sonipat, he would succeed in his ill-conceived design of pressurizing the petitioner from withdrawing the complaint and not deposing against him in the enquiry proceedings.

Having heard counsel at length and having perused the pleadings on record, this court is of the considered view that no interference at this stage is warranted.

There is no order either placed on record or under challenge in the instant petition which contains a formal decision transferring respondent No.5 to the Sonipat Sugar Mill, Sonipat.

Mr. A.P.S. Sandhu, learned counsel, would himself admit that such proposal is in the pipeline and is in the final stage of acceptance.

Even if that be so, a writ of prohibition cannot be issued on a mere apprehension and to pre-empt a decision that is yet to be taken.

Confronted with such a situation counsel seeks withdrawal of the petition with liberty to file a petition afresh at the appropriate stage.

Dismissed as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

March 26, 2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No