IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

210 **CWP-14271-2021**
Date of decision: 07.09.2021

Kitab Singh and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. K.S. Banyana, Advocate for the petitioners.

Mr. Rohit Arya, DAG, Haryana.
(the aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court on account of restrictions due to COVID 19)

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GIRISH AGNIHOTRI, J. (Oral)

On 30.07.2021, this Court had passed the following order:-

> *"Petitioners-Kitab Singh ESI and 2 others have jointly filed the present writ petition inter alia with a prayer for quashing the impugned transfer order dated 23.07.2021 (Annexure P-1) qua the petitioners along with further relief as mentioned in the petition.*
>
> *Notice of motion.*
>
> *On asking of the Court, Mr. Rohit Arya, DAG, Haryana, accepts notice on behalf of the respondent-State.*
>
> *Considering the urgency in the matter, respondents are directed to file a short reply indicating the lawful reasons to transfer the petitioners.*
>
> *Notice re:stay as well.*
>
> *List on 09.08.2021."*

In response thereto, short reply dated 06.08.2021, by way of an

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affidavit of Shri Om Parkash, IPS, Deputy Inspector General of Police, Administration, Haryana, Panchkula, has been filed on behalf of respondents No.1 to 3. Thereafter, an additional affidavit dated 27.08.2021, has also been filed on behalf of respondents No.1 to 3. In para Nos.7 to 10 of the said affidavit dated 27.08.2021, certain facts/justification has been given to the impugned order of transfer.

Before proceeding further in the matter, learned counsel for the petitioners made a request that he has instructions from the petitioners to make a request to the effect that the petitioners be given liberty to file representation (s) to the Additional Director General of Police (L&O) with a request and for the grievances made in the present writ petition. He has further made a request that the same be decided in a time bound manner.

Learned counsel for the respondents has no objection to the aforementioned request.

In view of the peculiar facts and circumstances noticed above, this Court deems it appropriate to direct the competent authority in the respondent-Department, to examine the representation so submitted by the petitioners. It is directed that such representation be submitted by the petitioners within a period of one month from today and the same be decided by examining the facts and grievances raised by the petitioners, as expeditiously as possible.

Writ petition is accordingly disposed of.

(GIRISH AGNIHOTRI)
JUDGE

07.09.2021
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Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No

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