

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CWP No.22174 of 2020
DATE OF DECISION : 18.01.2021**

Rohit ...Petitioner
Versus

Union of India and others ...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Akshay Chadha, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Namit Kumar, Advocate,
for the respondent-UOI.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing respondents No. 2 and 3 to relieve the petitioner from current place of posting in terms of the transfer Policy dated 17.01.2019 (Annexure P-12). Further prayer has been made to quash the impugned notice dated 04.12.2020 (Annexure P-11), whereby the transfer has been halted awaiting the outcome of CWP No.14918 of 2020, wherein this Court had ordered to maintain the status quo.

2. Having heard rival arguments, the instant writ petition is disposed of in terms of judgment rendered by a Coordinate Bench of this Court in CWP No.14918 of 2020. The petitioner is also relegated to seek his remedy before the Central Administrative Tribunal. Accordingly, petitioner is at liberty to file fresh case before the Central Administrative Tribunal to seek mitigation of his grievance.

3. In the meanwhile, petitioner is also at liberty to file a fresh representation before the competent authority seeking his placement at the

transferee department/Circle i.e. New Delhi, South West Division,as he contends that the same was duly approved as per Annexure P-10. And yet, the same was not implemented on the specious plea that present writ petition is pending before this Court.

4. Since the pending petition is now being disposed of, competent authority is expected to look into the matter afresh and pass appropriate orders, in accordance with law.

5. It is, however, made clear that all issues raised before this Court are kept open to be decided by Central Administrative Tribunal.

January 18, 2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No