

Balwinder Singh

...Petitioner

versus

Rohtash and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : None for the petitioner.

Mr. Manish Dadwal, AAG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P-1, dated 22.05.2018, in CWP-13026-2018.

2. A perusal of order Annexure P-1 dated 22.05.2018, reveal that while issuing notice of motion for 06.09.2018, status quo was ordered to be maintained by noticing the plea of the petitioner that he had been transferred to Narwana vide order dated 10.05.2018 and on joining at Narwana, within five days vide corrigendum dated 15.05.2018, he had been again transferred to Hisar and even his transfer at Narwana vide order dated 10.05.2018, was illegal because the petitioner was posted at Sirsa only five months earlier i.e. on 08.12.2017.

3. Learned AAG, Haryana has referred to order dated 01.07.2021, in CWP-13026-2018, to contend that the writ petition was disposed of by taking into account that from the date of grant of stay of operation of the impugned order and till date of passing of order, more

than three years had elapsed and that concededly the petitioner had completed his normal tenure of posting at one place and was due for general transfer and that in the circumstances, no ground was made out to continue the writ proceedings. Accordingly, the writ petition was disposed of by vacating the interim stay order with liberty to the respondents to proceed in accordance with law in case, they wished to transfer the petitioner during the course of general transfer.

4. None is present on behalf of the petitioner despite the matter having been called out in the pre-lunch session. In the circumstances, it appears that the petitioner is not interested in pursuing the instant petition.

5. In view of the position noted above, the instant petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971. However, liberty is granted to the petitioner to move an application for revival of the contempt petition, if cause survives.

(B.S. Walia)
Judge

08.07.2022
rajesh

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