

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

CWP-12949-2019 (O&M)

Date of decision: October 14, 2022

Vijay Kumar

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Chanderhas Yadav, Advocate,
For the petitioner.

Mr. Saurabh Mohunta, DAG Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of Certiorari for quashing the impugned order dated 25.04.2019 (Annexure P-9) vide which respondent No.1 had asked respondent No.3 to relieve the petitioner in compliance of order dated 22.11.2017 (Annexure P-6) without taking into consideration that the said order has already been cancelled vide order dated 27.12.2017 (Annexure P-8).

2. While issuing notice of motion, vide an order dated 16.05.2019, status quo with regard to the impugned relieving order was ordered to be maintained. More than 3 years have passed since then. However, petitioner has been continuing at Gurugram by virtue of interim stay granted by this Court. Nothing survives for adjudication before this Court. In any case, interim order has already outlived its utility period and/ or mitigating circumstances, if any, cease to exist. There is thus no ground to continue further with the writ proceedings.

3. No grounds for further indulgence are made out.
4. Disposed of, accordingly.However, impugned order since was passed on the ground of administrative exigency, as per the stand taken by the official respondents, if any such exigency continues to exists as on today, they shall pass fresh orders of transfer of the petitioner, instead of implementing the earlier one which by efflux of time has been rendered infructuous and stale.

(ARUN MONGA)

JUDGE

October 14, 2022

vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No