

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

**CWP No. 19841 of 2021
Date of decision: 05.05.2022**

Manish Kumar Saini

..... Petitioner.

Versus

State of Haryana and others

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Gaurav Mohunta, Advocate, for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the transfer order dated 20.04.2021 (Annexure P1) of respondent No. 3 from Nuh to Mahendergarh.

Learned counsel for the petitioner contends that respondent No.3 is facing serious allegations and departmental proceedings are going on against him at Mahendergarh. Therefore, his transfer from the post of Secretary, Municipal Committee, Nuh to the post of Secretary, Municipal Committee, Mahendergarh, would not be in the public interest, as he would be in a position to influence the witnesses.

Heard. The petitioner is stated to be a Municipal Councillor from Ward No. 2, Municipal Committee, Mahendergarh. He had earlier preferred a writ petition bearing CWP No. 10140 of 2021, which was dismissed as withdrawn on 25.05.2021 (Annexure P6) by a Coordinate Bench of this Court after recording the statement of counsel for the petitioner that he seeks withdrawal of the petition with liberty to raise the issue by way of filing a petition in public interest. Thereafter, the petitioner had preferred a public

interest litigation bearing CWP (PIL) No. 111 of 2021, which was disposed of by a Division Bench of this Court on 09.07.2021 (Annexure P7) after recording the statement of the State counsel that the representation of the petitioner would be considered and a decision would be taken thereon in accordance with law.

The petitioner has now approached this Court by way of instant petition. The petitioner does not have any *locus standi*, as he is neither in the service of the Municipal Committee nor he has been displaced or in any way directly affected by the transfer of respondent No. 3. The petitioner had earlier preferred a public interest litigation and after its disposal has filed this petition claiming the same relief. Therefore, I am of the considered view that this action of the petitioner in filing a writ petition after the matter had already been disposed of by the first Division Bench of this Court as a public interest litigation would not be maintainable.

Consequently, the petition stands dismissed.

Pending application(s), if any, shall also stand disposed of.

05.05.2022
Ramesh

(ANUPINDER SINGH GREWAL)
JUDGE

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