

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

CWP NO. 27322 OF 2018

DATE OF DECISION: 11.05.2022

Khurshid Ahmad

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Mazlish Khan, Advocate,
For the petitioner.

Mr. Pankaj Middha, Addl. AG, Haryana.

Mr. Akash Sheoran, Advocate for
Mr. Sarfaraz Hussain, Advocate for respondent No.7.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks quashing of impugned order dated 24.09.2018 (Annexure P-4), whereby his earlier transfer order dated 08.08.2018 (Annexure P-3) was cancelled.

2. When the matter was heard on 19.11.2018, my learned sister RituBahri, J. (in seizin of the matter then) passed following order:

“CM No.16978 of 2018

Application is allowed as prayed for. Accordingly, applicant-Mubin Khan, Forester son of Abdul Rahim, resident of village Hajipur, near Jumma Masjid Hajipur-231, Naheda, Punhana, Mewat is impleaded as respondent No. 7 in the present writ petition.

C.M.No.16979-2018

Learned counsel for the applicant states that applicant was posted as Forester in the office of Division Forest Officer, Mewat, Nuh at Alipur, Tigra Block, Foresh Division Nuh and was transferred to the office of DFO, Palwal. This order was cancelled vide order dated 24.09.2018, which has been challenged by the petitioner in the present writ petition. This Court stayed the order on the

pretext that the said transfer was on mutual consent of the petitioner and the applicant.

Learned counsel for the applicant while referring to Rule 8.6 of Chapter VIII (Annexure A-3) contends that the petitioner cannot be appointed in his home Tehsil and within a radius of 20 miles from and thus, the transfer order has rightly been cancelled, as now the petitioner has been given the charge of Alipura Tigra Block and his village is within radius of 20 miles from home.

Learned State counsel has not filed reply so far but has not disputed the above factual position.

In view of the above factual position, the application stands allowed and interim stay vacated by this Court vide order dated 25.10.2018 is vacated.

In the meantime, the respondents shall file reply after adjusting the petitioner as per rules and regulations.”

3. In view of the aforesaid, no further grounds to continue with any further proceedings at this stage, as the writ petition is rendered infructuous by sheer efflux of time and is thus dismissed.

MAY 11, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No