

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(135)

CWP-21946-2022

Date of Decision : September 22, 2022

Kapil Dev and another

.. Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Laxman Choudhary, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners submits that the grouse of the petitioners is that they have opted for certain station for their transfer which stations are lying vacant and not allotted to the petitioners which act of the respondents is contrary to law keeping in view the order passed by this Court dated 12.07.2022 (Annexure P-2) and while deciding the said claim, no finding has been recorded by the respondents as to why the said stations, which are vacant, cannot be allotted to the petitioners.

Learned counsel for the petitioners further submits that the order which has been passed by the respondents is without considering the said fact, which fact needed a consideration at the hands of the respondents while passing the order on the representation of the petitioners.

Notice of motion.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents submits that he has the instructions from the competent authority of the Department that the impugned order dated 08.09.2022 (Annexure P-5) be treated as withdrawn with liberty to pass a fresh order in accordance with law.

Learned counsel for the petitioners submits that keeping in view that the impugned order has been withdrawn by the respondents, the present petition has been rendered infructuous and the same may kindly be disposed of as such.

Ordered accordingly.

Keeping in view the fact the respondents have withdrawn the impugned order, any act being taken in pursuance to the said order be kept in abeyance till the appropriate order on the representation is passed.

September 22, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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