

CWP-30201-2022
Date of Decision: 23.12.2022

Satinder Singh and others

..... Petitioners

Versus

Food Corporation of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent : Mr. Abhishek Arora, Advocate,
for the petitioners.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari quashing the impugned communication letter dated 30.08.2022 (Annexure P-2) and letter dated 20.12.2022 (Annexure P-3) sent by respondent No.2 and consequential proceedings related to the transfer of the petitioners from FSD Sirhind to FSD Kurali, FSD Morinda, FSD Chamkaur Sahib; along with certain other prayers made in the petition.

Notice of motion.

Mr. K.K.Gupta, Advocate, accepts notice on behalf of the respondents and submits that the respondents are not, in fact, transferring the present petitioners. Rather, they are being put on a job at a different place to ensure that they all kept on getting money to earn their livelihood, failing which they will have to sit at home because of the fact that the petitioners are working on the conditions of 'no work no pay' at FSD Sirhind. The respondents have work only for 33 persons at FSD Sirhind, whereas the persons deputed at the place are 86. Surplus persons have to be relieved. Therefore, by any means, the petitioners will have to sit at home after being relieved from Sirhind, if they are not interested in going to other places.

In response, learned counsel for the petitioners, on instructions from the petitioners, submits that the petitioners do not mind to sit at home for the period during which there is no work available for them at Sirhind. However, they should not be sent to any other place.

Learned counsel for the respondents submits that he has no objection to this.

In view of the above, the present petition is disposed of as having been rendered as infructuous.

However, if anyone of the petitioners opts for joining work at new place, within a week from today, then the respondents shall permit him to join, failing which the respondents shall be free to engage other persons afresh.

(RAJBIR SEHRAWAT)
JUDGE

23.12.2022
adhikari

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No