

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

**CWP-9734-2022 (O&M)
Date of decision : 28.02.2023**

SUNIL DUTT

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Inderpreet S. Kang, Asstt. Advocate General, Punjab with

PANKAJ JAIN, J. (ORAL)

On 16th of February, 2023, the following order was passed :-

“On 09.05.2022, following order was passed:-

“Counsel appearing on behalf of the petitioner would contend that by a general order dated 13.03.2022 (Annexure P-2), the petitioner stands promoted as Head Constable. However, by the same order, he stands transferred from Gurdaspur to Ludhiana. It is submitted that the petitioner has less than 1 year service left. Notice of motion.

At this stage, Mr. Pawan Sharda, Senior DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents and seeks time to file reply.

Adjourned to 19.12.2022.

Considering the fact that the petitioner has less than 1 year service left, his transfer from Gurdaspur to Ludhiana is stayed, till the next date of hearing.”

Mr. Mahajan submits that despite the fact that it was only the transfer which was ordered to be stayed, respondents have kept the order w.r.t. the promotion in abeyance as well.

Respondents are directed to effectuate the promotion of the

petitioner in terms of Annexure P-2. However, it is clarified that the transfer of the petitioner in view his date of superannuation be not given effect to.

Adjourned to 28.02.2023.”

2. Today, State Counsel on instructions from Mr. Paramjit Singh, S.I. Civil Suit Clerk, SSP Officer, Gurdaspur submits that the petitioner has been transferred back to Border Range, Amritsar and the process related to his promotion stands initiated which is expected to be completed prior to his date of retirement i.e. 31st of March, 2023.
3. Mr. Mahajan submits that in view of the statement made by State Counsel, the present petition has been rendered infructuous.
4. Ordered accordingly.

February 28, 2023
Dpr

(PANKAJ JAIN)
JUDGE

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