

CWP No. 21048 of 2023 (O&M)

2023:PHHC:155690

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CWP No. 21048 of 2023 (O&M)

Date of Decision : 06.12.2023

Surender Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naresh Kumar Ganga, Advocate for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Mr. Raj Kapoor Malik, Advocate for respondent No. 4.

Harsimran Singh Sethi J. (Oral)

CM-16863-CWP-2023

Present application has been filed for placing on record written statement filed on behalf of respondent No. 4 along with Annexures R-4/1 to R-4/6.

Application is allowed and written statement along with Annexures R-4/1 to R-4/6 is taken on record.

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In the present petition, the challenge is to the order dated 13.09.2023 (Annexure P-5) by which the petitioner has been transferred from Fatehabad to Nuh. By an interim order, the operation of the said order of transfer was stayed.

Learned counsel for respondent No. 4 submits that respondent No. 4 is to retire on attaining the age of superannuation on 31.03.2024 and only four months have left before his retirement and there is a possibility that the petitioner will be promoted to the higher post and shifted out of Fatehabad, hence, after the post is vacated by the petitioner upon promotion, the claim of the petitioner for being posted at Fatehabad be considered by the respondents so that respondent No. 4 is able to retire from the said station.

Learned counsel for the respondents submits that the impugned order will not be given effect to and in case, during the service career of respondent No. 4, the post is vacated by the petitioner in any manner, the claim of respondent No. 4 will be considered for posting so that he is able to retire from Fatehabad.

The present petition is disposed of in above terms of the statement of learned State counsel.

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Keeping in view the fact that the main petition is disposed of, the present application stands disposed of.

December 06th, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No