

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

126+252

CWP-28004-2022 (O&M)
Date of Decision: 06.12.2023

Sanjay Kumar

...Petitioner

Versus

Union of India and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. R.D. Bawa, Advocate and
Mr. Samuel Gill, Advocate and
Mr. Dipanshu Kapur, Advocate for the petitioner

Mr. Gurmeet Kaur Gill, Senior Panel Counsel,
for Union of India-respondents

JAGMOHAN BANSAL, J. (Oral)

1. On 02.06.2023, the following order was passed:-

“Learned counsel for applicant-petitioner contends that the petitioner on health grounds has challenged the impugned transfer orders dated 03.10.2022 (Annexure P-3) as well as 29.11.2022, (Annexure P-5), whereby he has been transferred to a tough hilly terrain in Arunachal Pradesh and in response to the writ petition, the written statement was filed by the respondents pursuant to the order dated 21.12.2022 granting them time subject to payment of costs of Rs.1,000/-. He submits that pursuant to unilateral movement order dated 31.05.2023 (Annexure P-10), the petitioner is likely to be relieved from his present place.

Learned counsel further states that the petitioner is not opposed to transfer in the state of Arunachal Pradesh, if, he can be posted at some place, other than hilly areas.

Notice of this application be issued to non-applicants for the date already fixed in the main case i.e. 06.12.2023.

At this stage, Ms. Gurmeet Kaur Gill, Sr. Panel Counsel accepts notice on behalf of respondent-UOI and prays for time to file reply to the application as well.

Meanwhile, impugned transfer orders be not implemented qua the petitioner.”

2. Learned counsel for the petitioner submits that another person has been posted where petitioner was going to be transferred. The respondent vide communication dated 12.06.2023, copy whereof was produced by learned counsel for the petitioner during course of hearing, has cancelled movement order of the petitioner. Letter dated 12.06.2023 is taken on record as Annexure ‘A’ and Registry is directed to tag the same at an appropriate place.
3. On being confronted with aforesaid letter, learned counsel for the respondents expressed her inability to controvert the aforesaid submissions made by the learned counsel for the petitioner.
4. In the wake of development which has taken place during the pendency of case, the present petition stands disposed of with liberty to respondents to reconsider case of the petitioner.

Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

06.12.2023
Mohit Kumar

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