

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

136

CWP-24596-2023

Date of Decision : 02.11.2023

Jatinder Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Raj Kumar Arya, Advocate
for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. This is 2nd round of writ petition whereby the petitioner is seeking setting aside of transfer order dated 11.09.2023 (Annexure P-3).
2. The petitioner has been transferred from Batala to Amritsar. The petitioner filed CWP No.22250 of 2023 before this Court seeking setting aside of transfer order. The said writ petition came to be disposed of by order dated 04.10.2023 which is reproduced as below :

“5. Having regard to the facts and circumstances of the case and the nature of order, there is no necessity to call for response of the respondents. As such, the instant petition is disposed of with a direction to respondent No.4-Senior Superintendent of Police, Batala, to consider and dispose of representation dated 15.9.2023 (Annexure P-5) expeditiously preferably within a period of 10 days from today, while duly taking into account

the contention of the petitioner as regards his date of retirement which is stated to be 31.1.2024. In case, the petitioner has not been relieved so far from his present post and further in case it is not inconvenient, the petitioner may be allowed to continue at present place of posting, till decision of the representation (Annexure P-5).

6. A copy of this order along with copy of representation dated 15.9.2023 (Annexure P-5) be sent to respondent No.4-Senior Superintendent of Police, Batala for necessary compliance.

7. Learned State counsel is also requested to convey the instant order to respondent No.4.

3. The respondent-SSP, Batala just to show that he has complied with aforesaid order of this Court, has passed order dated 20.10.2023 (Annexure P-8) whereby he has advised the petitioner to file representation before DIG, Border Range, Amritsar. As per petitioner, he had filed representation dated 15.09.2023 (Annexure P-6) before DIG, Border Range, Amritsar through proper channel.

4. From the order dated 20.10.2023, it appears that there is no application of mind on the part of SSP, Batala and he has attempted to deflect from his responsibility.

5. On being confronted with aforesaid fact, learned State counsel assures the Court that fresh order would be passed within two weeks from today. He further assures the Court that Annexure P-6 as well as present petition would be considered as representation of the petitioner.

6. In the wake of statement of learned State counsel, the present petition stands disposed of.

7. In the meantime, no adverse order shall be passed against the petitioner.

02.11.2023
anju

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>