

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

109

CWP-26469-2023 (O&M)
Decided on : 24.11.2023

Pankaj Rathee

...Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. R. K. Hooda, Advocate for
Mr. Kamal Mor, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioner submits that the transfer of the petitioner from CHC Kilo, Rohtak to CHC Madina, Rohtak has been effected by the transfer order dated 20.10.2023 (Annexure P-2) by which, the petitioner has been transferred mutually with respondent No. 5 but it is a result of fraud played by respondent No. 5 upon the petitioner. Learned counsel for the petitioner further submits that the consent of the petitioner was taken by respondent No. 5 in a fraudulent manner, hence, the consequent order of transfer, which is based upon request of mutual transfer is liable to be set aside.

2. Learned counsel for the petitioner also submits that the petitioner has already raised the said fact that the transfer order of the petitioner is a result of fraud played by respondent No. 5 upon the petitioner in the Legal Notice dated 26.10.2023 (Annexure P-3) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.
4. On the asking of the Court, Mr. Harish Nain, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the Legal Notice dated 26.10.2023 (Annexure P-3) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of **four weeks** of the receipt of certified copy of this order by passing an appropriate speaking order.
5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.
6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

24.11.2023

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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *~~Yes~~/No*