

CWP No. 28434 of 2023

2023:PHHC:162114

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(113)

CWP No. 28434 of 2023

Date of Decision : 18.12.2023

Prithvi Raj

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Deepika, Advocate for
Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner argues that the petitioner was transferred earlier from Narnaul, which action of the department was challenged by the petitioner by filing CWP No. 11470 of 2023, wherein interim order has been granted but still, once again the petitioner has been transferred from Narnaul to Yamuna Nagar by the impugned order, which in fact amounts to contempt of court as the petitioner cannot be transferred once again so as to overreach the adjudication which this Hon'ble Court is required to undertake in the earlier petition.

2. Notice of motion.

3. On the asking of the Court, Mr. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

4. Learned counsel for the respondents, on instructions from Vikas, Assistant, Transport Department, submits that the transfer of the petitioner has been inadvertently done as the interim order passed by this Court in the earlier proceedings escaped notice of the department and the matter is under consideration and appropriate order will be passed qua the impugned transfer order within a period of two weeks.

5. Learned counsel for the petitioner submits that once the respondents themselves are re-considering the impugned order of transfer, till the re-consideration is finalized, the petitioner be allowed to continue at Narnaul.

6. Keeping in view the facts and circumstances of the present case noticed here-in-before especially that the respondents have stated before this Court that the impugned order of transfer is under consideration, the present petition is disposed of with a direction that the said consideration be finalized within a period of two weeks from the date of receipt of copy of this order and till then the impugned order of transfer qua the petitioner be not given effect to and the petitioner be allowed to continue at Narnaul.

7. Disposed of.

December 18th, 2023

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No