2024:HHC:15017

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 12541 of 2024

Decided on: 18.12.2024

Sh. Amrit Kumar ... Petitioner

Versus

State of Himachal Pradesh an others ... Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?[1]

For the petitioners	:	Mr. Shivom Vashishta, Advocate.
For the respondents	:	Mr. Pushpender Jaswal, Addl. AG for respondents No. 1 and 2.
	:	M/s Prem Prakash Chauhan and Shikha Rajta, Advocates for respondent No. 3.
	:	Mr. K.B. Khajuria, Advocate for respondent No. 4.

Ajay Mohan Goel, Judge *(Oral)*

By way of this writ petition, the petitioner has *inter alia* prayed for the following reliefs:-

> *"i) That a writ in the nature of certiorari may kindly be issued for quashing the impugned order of transfer Annexure P-2 dated 20.09.2024 and the impugned order dated 21.10.2024 Annexure P-5 in the interest of justice.*
>
> *ii) That a writ in the nature of mandamus may kindly be issue for directing the Respondents to allow the petitioner to complete his normal tenure as Naib Tehsildar at Palampur in the interest of justice."*

2. When this case was taken up for consideration, learned

[1] *Whether reporters of the local papers may be allowed to see the judgment?*

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Counsel for respondent No. 4 submitted that said respondent, who has been transferred in place of the petitioner, has no interest to serve at Palampur and therefore, in these circumstances, this petition be disposed of by passing appropriate orders but with grant of liberty to respondent No. 4 to approach the Authority for his adjustment at some other convenient station.

3. Taking into consideration the fact that the petitioner was transferred from Palampur after a short stay of eight months, this writ petition is disposed of by ordering that the impugned transfer order Annexure P-2 qua the petitioner is quashed and set aside with the direction that the petitioner be allowed to serve at Palampur for a normal tenure of three years, with liberty to respondent No. 4 as prayed for.

4. It goes without saying that in the event of the private respondent filing any representation within a period of one week from today, let a call be taken thereupon within a period of three weeks as from the date of receipt thereof.

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

(Ajay Mohan Goel)
Judge

December 18, 2024
(*narender*)