

213 2024:PHHC:000337
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4740-2021(O&M)
Date of Decision: 04.01.2024

SUBASH KUMAR

....Petitioner(s)

Versus

THE HARYANA STATE AGRICULTURE MARKETING BOARD
AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. A.K. Walia, Advocate, for the petitioner.

Mr. Vicky Chauhan, Advocate, for
Mr. Deepak Balyan, Advocate, for the respondents.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India for issuance of an appropriate writ, order or direction especially a writ in the nature of *Certiorari* for quashing of order dated 04.02.2021 (Annexure P-5) by which respondent No.1 wrongly and arbitrarily transferred the petitioner from Panchkula to Dabwali.

Today, learned counsel appearing on behalf of the respondents-Board has supplied a photocopy of the order dated 28.12.2023 by which the petitioner is now transferred back from Market Committee, Dabwali to Market Committee, Panchkula subject to grant of relaxation from the Government. The photocopy of the aforesaid order is hereby taken on record as Mark-X.

Learned counsel appearing on behalf of the petitioner has stated that in view of the aforesaid order, the present petition has become infructuous. He has however pointed out that the order by which the petitioner has been transferred back is a conditional order subject to grant of relaxation from the Government and has submitted that in view of the aforesaid conditional order, he may be permitted to withdraw the present petition at this stage only especially in view of the fact that the petitioner is a handicapped person.

The prayer of the learned counsel for the petitioner is just and reasonable. Since the aforesaid order as so supplied by the learned counsel for the respondents appears to be a conditional order, the petitioner is permitted to withdraw the present petition at this stage.

Dismissed as withdrawn at this stage.

04.01.2024

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking

:

Yes/No

Whether reportable

:

Yes/No