



265 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP-11129-2021 (O&M)
Date of Decision: 08.08.2024**

HC Pardeep

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Arpit, Advocate for
 Mr. Aditya Yadav, Advocate,
 for the petitioner.

Mr. Amandeep Joshi, DAG, Haryana.

MAHABIR SINGH SINDHU. J.

Present writ petition has been filed, under Article 226 of the Constitution, *inter alia*, for issuance of a writ in the nature of certiorari for quashing the action of respondents, whereby request of the petitioner to transfer the departmental enquiry initiated vide Memo dated 24.11.2020 (P-2) as well as Charge Sheet dated 25.11.2020 (P-4) is not accepted despite the fact that respondent No. 4-Chander Mohan, IPS, Superintendent of Police, Narnaul, District Mohindergarh is having a personal grudge against him.

2. In response to the previous order, Shri Rajender Kumar, I.G. South Range (Rewari) is present and he has filed affidavit dated 06.08.2024. The same is taken on record. Copy supplied to the other side.

3. For reference, para 3 of the aforesaid affidavit reads as under:-

“3. That regarding present status of aforesaid departmental enquiry it is submitted that the petitioner has been



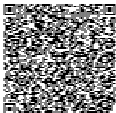
transferred from District Rewari to Mahendergarh by the office of deponent vide order No. 385-88/A-1 dated 09.01.2023 (Annexure R-3) when Chander Mohan, IPS, the then SP, Mahendergarh against whom the petitioner had sought the relief, was transferred from District Mahendergarh. Further, the petitioner was transferred from District Mahendergarh to Police Commissionerate, Faridabad by the Director General of Police, Haryana vide order No. 25562-73/E (II)-6 dated 28.12.2023 (Annexure R-4). Reportedly, the Superintendent of Police, Mahendergarh vide his office memo. No. 5538 dated 20.02.2024 (Annexure R-5) has sent the departmental enquiry file to Police Commissionerate, Faridabad. Hence, as informed by Police Commissionerate, Faridabad vide memo. No. 26600/CRC dated 18.07.2024 (Annexure R-6) the same has still been kept in abeyance in compliance of this Hon'ble Court's order dated 18.08.2021."

A perusal of the above extract reveals that petitioner has already been transferred from District Rewari to Mahendergarh on 09.01.2023 (R-3).

4. Apart that, learned State counsel, on instructions, from the quarter concerned, apprised the Court that Shri Chander Mohan, IPS, Superintendent of Police, Narnaul, District Mahendergarh-respondent No.4 had been transferred way back on 20.04.2022 from District Mahendergarh to State Vigilance Bureau (SVB), Panchkula.

5. Concededly, as on today, petitioner as well as respondent No. 4, both have been transferred from District Mahendergarh to Rewari and SVB, Panchkula respectively; therefore, the grievance of petitioner regarding alleged personal bias of the officer concerned does not survive.

6. In view of the above development, it is jointly stated that present petition be disposed off as having been rendered infructuous, "at this stage".



- 7. Ordered accordingly.
- 8. Needless to say that this order be not construed as an expression of opinion on merits of the controversy, in any manner.

Pending application(s), if any, shall also stand disposed off.

08.08.2024
SN/Rajeev(rvs)

(MAHABIR SINGH SINDHU)
JUDGE

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