

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-5556-2021 (O&M)

Date of Decision: 29.09.2022

KaramVir Singh

.....Petitioner

Versus

The Engineer-in-Chief, Public Health
Engineering Dept., Panchkula and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Ms. Mamta Singla Talwar, D.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing the Condition No.10 of Notification dated 23.02.2021 (Annexure P-9) whereby online transfer of drivers i.e. Group D employees was conducted.

2. While issuing notice my Learned Brother G.S. Sandhawalia, J. (as he then was seized of the matter) passed the following order on 09.03.2021:

*“Counsel for the petitioner, inter alia, submits that the petitioner's case for the Online Transfer Drive of Group D employees is not being considered on account of the fact that he had initially filed CWP No.23249 of 2019 since his appointment was subject matter of the Sports Gradation Policy, which was decided on 09.10.2020 in LPA No.1332 of 2019 titled as “**State of Haryana and another vs. Shankar**”. It is submitted that this is on account of Clause 10, which has been incorporated in the impugned instructions dated 23.02.2021 (Annexure P-9).*

It is, thus, contended that once the litigation has become final, the said Clause 10 cannot, as such, operate against the petitioner for participating in the online transfer drive.

Notice of motion.

Mr. RKS Brar, Addl. A.G., Haryana, accepts notice on behalf of the respondents and prays for time to have instructions.

Keeping in view the above, the petitioner shall be considered for the aforesaid online transfer drive in pursuance of instructions dated 23.02.2021 (Annexure P-9), subject to the final decision of the present writ petition, since he wants to get himself transferred from the Public Health Department, Haryana to the Haryana State Vigilance Bureau.

Now to come up for further hearing on 26.07.2021.”

3. After the passing of the above order, it appears that the matter could not be taken up during the intervening period of pandemic. Today, none appears on behalf of the petitioner. Given the nature of relief coupled with the interim order passed by this Court while issuing notice, it appears that this petition has been rendered infructuous and the same is disposed of accordingly.

(ARUN MONGA)
JUDGE

September 29, 2022

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No