

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

IA 45199/2022, in Transfer Petition(s)(Civil) No(s). 809/2020

INDERJEET & ORS.

Petitioner(s)

VERSUS

THE STATE OF HARYANA THROUGH THE CHIEF SECRETARY &
ORS.Respondent(s)

(FOR ADMISSION and IA No.68613/2020-STAY APPLICATION
IA No. 45199/2022 - INTERVENTION/IMPLEADMENT)

Date : 17-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.T. RAVIKUMAR
[IN CHAMBER]

For Petitioner(s) Mr. Aditya Hooda, Adv.
Mr. Ayushman A., Adv.
Dr. Surender Singh Hooda, AOR

For Respondent(s) Mr. Somanatha Padhan, AOR

Mr. B.K. Satija, Ld. AAG
Dr. Monika Gusain, AOR

Mr. Amrendra Kumar Mehta, AOR
Ms. Pallavi Daem, Adv.
Ms. Gunjan Kumari, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Transfer Petition(s)(Civil) No(s). 809/2020

The petitioners seek transfer of C.W.P. No. 21544 of 2018 titled as "Inderjeet & Ors Vs. The State Of Haryana" Through The Chief Secretary & Ors." pending before the High Court of Punjab and Haryana to this Court. It is submitted by the learned counsel for petitioner that an identical matter which was pending before the

High Court of Punjab and Haryana being C.W.P. No. 7607/2019 was withdrawn for disposal to this Court and as per order in T.P. (C) No. 2592/2019 dated 23.7.2020. The learned counsel, Dr. Monica Gusain, appearing for the State of Haryana would endorse the said submission. I have perused the said order. Thus, it is obvious that the as per order dated 23.7.2020 a similar matter which was pending before the High Court of Punjab and Haryana, being C.W.P. No. 7607/2019, was already withdrawn to this Court for disposal and it is pending. Mr. Amrendra Kumar Mehta, Adv. submits that he has filed IA No. 45199/2022 for intervention, and obviously opposing the transfer petition. The learned counsel for the petitioner as also the learned counsel appearing for the State brought to my attention the manner in which a similar application for intervention was dealt with under the judgment dated 23.7.2020 in T.P. (C) No. 2592/2019.

Paragraph 8 of the said judgment would reveal that this Court did not allow such intervention applications. It was held therein thus:-

"I accordingly direct withdrawal of CWP No. 21544/2018 (Inderjeet & Ors. Vs. The State Of Haryana) pending in the High Court of Punjab and Haryana to this Court for disposal of the said Writ Petition.

Let the records of the said case be transferred to the Registry of this Court by the Registrar General, High Court of Punjab and Haryana forthwith. On receiving the records, the same shall be placed before the Hon. Bench before hearing Civil appeal Nos. 9546-49/2016 for appropriate direction. The

transfer petition stands allowed.

All other connected applications shall also stand disposed of in the same terms.

There shall be no orders as to costs."

So far as this intervention application is concerned, in dealing with the Article 139 of the Constitution of India, I do not find any reason to allow the applicants pleading for being impleaded. I do not see any possibility of their interest being prejudice if I direct withdrawal of the Writ Petition from the Punjab and Haryana High Court to this Court. Once the Writ Petition is withdrawn or transferred to this Court, I can always come back with a similar plea for impleadment All the three applications for intervention shall stand dismissed.

Holding the same view expressed in the said judgment dated 23.7.2020, the intervention application(s) is dismissed.

The points involved in the Civil Appeal Nos. 9546-9549/2016 and CWP No. 7607/2019 and in CWP No. 21544/2018 require adjudication of substantially the same questions of law. They are of general importance.

(SHUBHAM YADAV)
SENIOR PERSONAL ASSISTANT

(MATHEW ABRAHAM)
COURT MASTER (NSH)