

(2012) 03 P&H CK 0415
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 4739 of 2012

Chhinder Pal Kaur

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 16-03-2012

Acts Referred:

Citation : (2012) 03 P&H CK 0415

Hon'ble Judges : Ajay Tewari, J

Bench : Single Bench

Judgement

Ajay Tewari, J.—The case set up in the petition is that respondent No. 4 had filed Civil Writ Petition No. 190 of 2012 challenging her transfer. In that petition, the petitioner was respondent No. 4. That petition was disposed of with the following directions: The writ petition is accordingly disposed of with a direction to respondent No. 1 to consider the petitioner's grievance and pass an appropriate order within three weeks from the date of receipt of a certified copy of this order.

Pursuant to that direction, the impugned order was passed whereby the transfer order of the petitioner has been cancelled. The argument of the learned counsel is that before passing the impugned order, the petitioner should have also been heard since respondent No. 4 was given personal hearing.

2. Notice of motion.

3. Mr. Suvir Sehgal, Additional Advocate General, Punjab, at the asking of the Court accepts notice on behalf of the respondents.

4. Learned counsel for the petitioner has supplied necessary copies of the petition to the learned Additional Advocate General today in the Court itself.

5. I put it to the learned Additional Advocate General, Punjab whether this petition can be disposed of with a direction to respondent No. 2 to hear the petitioner also (like respondent No. 4 was heard) and then pass necessary order.

6. Learned State counsel has fairly stated that in the circumstances of this case, this should be in the interest of justice.

7. Resultantly, this petition is disposed of with the directions to respondent No. 2 to provide hearing to the petitioner also and then pass the necessary order of transfer. Till such time, as the fresh order is passed, status quo be maintained. A copy of this order be handed over to the learned Additional Advocate General, Punjab under the signatures of the Court Secretary.