
(2021) 02 SHI CK 0276

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 4656 Of 2020

Jagdish Chand

APPELLANT

Vs

State Of H.P And Others

RESPONDENT

Date of Decision : 25-02-2021

Acts Referred:

Citation : (2021) 02 SHI CK 0276

Hon'ble Judges : L. Narayana Swamy, CJ;Ravi Malimath, J

Bench : Division Bench

Advocate : Surinder Saklani, Ashok Sharma, Ritta Goswami, Adarsh Sharma

Final Decision : Disposed Of

Judgement

L. Narayana Swamy, CJ

1. The petitioner has filed the present writ petition for issuance of a writ of certiorari for setting aside the order of transfer of respondent No.6,

Annexure P-3 dated 03.11.2018, by which she has been shown to be transferred as Cutting and Tailoring Instructor, Gram Panchayat, Bhakhra, Tehsil

Nainadevi, District Bilaspur, H.P. and appointed as Cutting and Tailoring Instructor, Gram Panchayat, Plahta, Tehsil Bangana, District Una, H.P.

Further, it is submitted by the learned counsel for the petitioner that respondent No.6 was appointed as Cutting and Tailoring Instructor in the year

2003 at Gram Panchayat, Bhakra, District Bilaspur and she has submitted her resignation on 25.02.2015 and the same has also been accepted by the

Gram Panchayat on the same day. Notwithstanding the same, she has made a request to transfer her but she has not been transferred and appointed

as Cutting and Tailoring Instructor in Gram Panchayat, Plahta, Tehsil Bangana, District Una, H.P.

2. The learned counsel for the petitioner submitted that the appointment to the Gram Panchayat is to be made on issuance of public notification

applicable to the locals of the District, whereas, respondent No.6 who was working in District Bilaspur has been transferred and appointed in District

Una is arbitrary action on the part of the respondents.

3. The learned Additional Advocate General, on the other hand, submitted that it is true that respondent No.6 has made a request for appointment as

Cutting and Tailoring Instructor, but her request has not been accepted and consequently, she has not been appointed, pursuant to impugned order

Annexure P-3.

4. The submission of learned Additional Advocate General that the prayer of respondent No.6 has not been accepted though she has made a request

which is taken on record. In view of the same, the prayer made by the learned counsel for the petitioner to set aside the appointment order dated

03.11.2018 of respondent No.6 as Cutting and Tailoring Instructor has become infructuous. In these circumstance, the prayer made by the petitioner

has become infructuous. As such, the petition is disposed of having become infructuous. Pending application(s), if any, shall also stand disposed of.