
(2021) 08 SHI CK 0195
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 5555 Of 2020

Kuldeep Singh

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 17-08-2021

Acts Referred:

Citation : (2021) 08 SHI CK 0195

Hon'ble Judges : Tarlok Singh Chauhan, J; Satyen Vaidya, J

Bench : Division Bench

Advocate : Vinay Sharma, Ashok Sharma, Rajinder Dogra, Vinod Thakur, Shiv Pal Manhans, Bhupinder Thakur

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. Aggrieved by the order of transfer, the petitioner has filed the instant petition for grant of the following substantive reliefs:-

â??i) Issue a writ of certiorari to quash Annexure P- 1, i.e. impugned transfer order dated 07-11- 2020.

ii) Issue a writ of mandamus directing the Respondent authorities not to implement Annexure P-1 i.e. impugned transfer order dated 07-11-2020.

iii) Issue a writ of mandamus directing the respondent authorities to allow the petitioner to be continued at GSSS Rajot (Kangra) in the interest of

justice.â??

2. It is not in dispute that the incumbent who was ordered to be transferred in place of the petitioner has since retired on 31.07.2021. It is also not in

dispute that the petitioner, who was under transfer from GSSS, Rajot, Kangra to GSSS, Badiali, Kangra, is still continuing at Rajot, Kangra. Once the

incumbent has since retired, therefore, in view of this development, the petitioner cannot be ordered to be transferred to GSSS, Badiali, Kangra.

3. Therefore, in the given facts and circumstances of the case, we deem it proper to dispose of the instant petition by directing the respondents to

permit the petitioner to continue working as Lecturer (SN) (History) at GSSS, Rajot, Kangra, till the time he does not complete his normal tenure of

service. Parties are left to bear their own costs. Pending application, if any, also stands disposed of.