

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.**

**CWP(T) No. 14303 of 2008.**

**Date of decision: 31.05.2011.**

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**Sudesh Kumari. .... Petitioner.**

**Versus**

**State of H.P.& Ors. .... Respondents.**

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***Coram***

**The Hon'ble Mr. Justice Kuldip Singh, Judge.**

***Whether approved for reporting? No***

**For the Petitioner : Mr. Arun Kumar, Advocate, vice  
Mr. Ajay Kumar Dhiman, Advocate.**

**For the Respondents : Ms. Ruma Kaushik, Addl. A.G.**

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**Kuldip Singh, Judge (Oral)**

This is a petition for quashing, setting aside transfer order dated 03.02.2006 with a further prayer that the respondents may be directed not to implement the order dated 03.02.2006. In paragraph-3 of the petition, it has been stated that petitioner is aggrieved by the malafide and arbitrary action on the part of the respondents by passing the order dated 16.02.2006. It has also been stated that petitioner has made representation to the department that her duty may not be considered as the leave of the kind due as per Annexure A-7. The petitioner had received salary for this period only after giving the leave of the kind due from 01.01.2003 to 14.05.2003 for 151 days vide Annexure A-7. The claim of the petitioner was rejected vide Office Order dated 03.02.2006 vide Annexure A-8.

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***Whether the reporters of the local papers may be allowed to see the Judgment? Yes***

2. The perusal of the petition indicates that there are no Annexures A-6, A-7 and A-8 on the record. The index filed with the petition also indicates that there are only Annexures A-1 to A-5. The Annexure A-8 dated 03.02.2006 for which prayer has been made for quashing and setting aside is not on record. It is not clear that Annexure A-8 dated 03.02.2006 is to what effect. The petitioner is not clear about her own case and Annexure with respect to which the prayer has been made is not on record. Accordingly, the petition is dismissed.

**May 31, 2011.**  
( krt)

**(Kuldip Singh),**  
**Judge.**