

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.3646 OF 2020
(Arising out of SLP (C) No.11900 of 2020)

VIVEK SOOD

Appellant

VERSUS

STATE OF HIMACHAL PRADESH & ORS.

Respondents

O R D E R

Leave granted.

The present appeal arises out of the judgment and order dated 04.09.2020 passed by the High Court of Himachal Pradesh at Shimla in C.W.P. No.3582 of 2019, preferred by respondent no.4 herein challenging his order of transfer.

While allowing the writ petition, certain observations were made by the High Court, especially in paragraph 30 and a direction was issued to the State Government and its functionaries to transfer the appellant outside the District and preferably in a Tribal Area.

In our considered view, the directions issued in paragraph 30 were not called for.

In normal circumstances, we would have issued notice but we find that the directions so issued neither affect the interest of the original writ petitioner nor the State or its functionaries. Therefore, we do not deem it appropriate to issue notice.

We, therefore, direct as under:

- a) the observations made in paragraph 30 of the judgment under appeal stand expunged;
- b) the State Government and its functionaries are at liberty to take appropriate decision in the interest of the administration.

This appeal is allowed in aforesaid terms.

.....J.
[UDAY UMESH LALIT]

.....J.
[VINEET SARAN]

.....J.
[S. RAVINDRA BHAT]

NEW DELHI;
NOVEMBER 06, 2020.

