

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 1252 of 2013 (O&M)

DATE OF DECISION : May 06, 2015

Parminder Kaur

..... PETITIONER(S)

VERSUS

State of Punjab & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Ms. Alka Chatrath, Advocate, for the petitioner.
Mr. L.S. Virk, Additional Advocate General, Punjab.

ARUN PALLI, J. (Oral)

A writ in the nature of certiorari is prayed for, so as to quash the order dated 03.10.2012 (Annexure P-11), vide which petitioner was transferred from Government Primary School, Bahua to Government Primary School, Burj Kandhari, and also the order dated 06.12.2012 (Annexure P-14), vide which representation of the petitioner against her transfer, was rejected.

Vide order dated 30.05.2013, operation of the order dated 03.10.2012 (Annexure P-11) was stayed and the petitioner was directed to be allowed to work at Government Primary School, Bahua till further orders. Concededly, the said order is in operation to date.

conceded by the learned State counsel, that the transfer of the petitioner from Government Primary School, Bahua was in breach of rationalisation Policy dated 06.08.2012 (Annexure P-3) read with an amendment dated 18.08.2012 (Annexure P-4). And, thus, the orders dated 03.10.2012 (Annexure P-11) and 06.12.2012 (Annexure P-14) are liable to be set aside. Besides this, Shri Dinesh Kumar, District Education Officer (Elementary Education), Shaheed Bhagat Singh Nagar, present in Court, submits that since passing of the order dated 03.10.2012, more than 2-1/2 years have gone-by and as the petitioner is working at Government Primary School, Bahua against a vacant post, the respondents do not intend to transfer her.

That being so, the petition is allowed and, consequently, the orders dated 03.10.2012 (Annexure P-11) and 06.12.2012 (Annexure P-14) are set aside.

MAY 06, 2015
Kang

(ARUN PALLI)
JUDGE