

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**Civil Writ Petition No.14217 of 2015
Date of Decision:17.07.2015**

Iqbal Singh Sandhu

....petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.Amandeep Singh Manaise, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

A writ in the nature of certiorari is prayed for, so as to quash the impugned order dated 09.07.2015 (Annexure P6) passed by respondent No.1, vide which petitioner has been transferred from Head Office Chandigarh to Tarn Taran Depot.

Learned counsel for the petitioner contends that the petitioner is engaged as General Manager in the Department of Transport, Punjab and is posted as Mechanical Automobile Engineer at Head Office, Chandigarh. Earlier, he was transferred from Roopnagar depot to Headquarter Chandigarh on 07.11.2012 (Annexure P1). But, was soon transferred from Headquarter Chandigarh to Punjab Roadways depot Shaheed Bhagat Singh Nagar, on 18.06.2013 (Annexure P2). Again, he was brought back to Headquarters Chandigarh, pursuant to order dated 27.09.2013

(Annexure P3). And yet again, within less than a year, he was again transferred on 15.07.2014 (Annexure P4) to Punjab Roadways depot, Amritsar-I. However, the order dated 15.07.2014 (Annexure P4) was subsequently cancelled as the petitioner was slated to retire on 31.05.2015. But pursuant to an extension granted to the petitioner, beyond the age of superannuation, he is continuing in service. His extended period in service would terminate on 31.01.2016, and, thus, he is left with about six months service. His pension documents are to be processed at his present place of posting i.e. Headquarters Chandigarh. His wife, who is an Associate Professor at Government College, SAS Nagar(Mohali) and they both are residing at Mohali. Counsel for the petitioner contends that the transfer of the petitioner has been actuated only with a purpose to adjust respondent No.3 at Headquarters Chandigarh. So much so, of 25 years of service, respondent No.3 has remained posted for a period of 23 years at Headquarters Chandigarh. Even otherwise, the order being assailed dated 09.07.2015 (Annexure P6) is purported to be in breach of the guidelines for the transfers and postings of the government employees issued by the Government for the year 2015-16, dated 08.06.2015 (Annexure P7).

Learned counsel for the petitioner submits that prior to the institution of this petition, petitioner had even represented to respondent No.1, vide representation dated 13.07.2015 (Annexure P8) but the same continues to await consideration of the authorities.

Learned counsel for the petitioner submits that let

this petition be disposed of, with a direction to respondent No.1 to consider and decide the representation dated 13.07.2015 (Annexure P8) made by the petitioner, within a specified time.

That being so, and, without expressing any opinion on merits, the instant petition is disposed of, with a direction to respondent No.1, to consider and decide the prayer/concern of the petitioner as set out in his representation dated 13.07.2015 (Annexure P8), strictly, in accordance with law, within a period of one week from the receipt of the certified copy of this order, since the petitioner stands relieved and time is the essence of the situation. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

17.07.2015

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(ARUN PALLI)
JUDGE