

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

Sr. No.109

CWP No.24727 of 2015

Date of decision: 30.11.2015

Neelam Rani

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Wazir Singh, Advocate
for the petitioner.

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DEEPAK SIBAL, J. (Oral)

Notice of motion.

Mr. Harish Rathee, Senior DAG, Haryana, who is present in
Court accepts notice on behalf of the respondents No.1 to 3.

I have heard learned counsel for the parties.

In the present petition, the grievance of the petitioner, who
is serving as Multipurpose Health Worker (Female) is that she has been
transferred from Sampla, District Rohtak to Pundri, District Kaithal, on
administrative grounds during the period of her maternity leave.

The other ground pressed before me to challenge her
transfer is that the same is against the transfer policy of the State as her
husband is serving at Kiloi, District Rohtak and as a couple case she
should be kept in District Rohtak.

Learned counsel for the State of Haryana, on instructions
from Dinesh Kumar, Assistant, Office of Director General Health
Services, Haryana, states that sanctioned maternity leave as granted to

the petitioner is for the period 05.10.2015 to 01.04.2016 and that she will not be asked to join at the transferred place of posting before the expiry of her maternity leave.

So far as the other ground is concerned, the same is based on the transfer policy, which as per the settled position of law is unenforceable as these policies are merely to guide the authorities while making transfers of employees, on administrative grounds.

Nonetheless, Sh. Harish Rathee, Senior DAG, Haryana, states that the grievance of the petitioner to adjust her as a couple case would be considered and an appropriate order will be passed thereupon before the expiry of the maternity leave of the petitioner.

According to me, in view of the aforesaid statements made by Sh. Harish Rathee, Senior DAG, Haryana, no further orders are required to be passed in the writ petition.

Disposed of accordingly.

(DEEPAK SIBAL)
JUDGE

November 30, 2015

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