

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

Civil Writ Petition No.3525 of 2015

Date of decision: 26.2.2015

Sohan Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.R.K.Arya, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

The petitioner has been transferred from Gurdaspur to Pathankot, which according to the learned counsel for the petitioner, is not permissible being an inter-district transfer when the service is district-wise where seniority is maintained. He is working as a Superintendent Grade-II. He has been transferred in view of the administrative and public interest against a vacant post of Superintendent Grade-II. The order was passed on 12.2.2015. The petitioner has made a representation to the Government for re-consideration of the transfer but the same has not been decided so far and nothing has been communicated to him.

In view of the pendency of the representation, a direction is issued to the respondents to consider and decide the representation within 7

days of receipt of a certified copy of this order. In case, merit is found in what the petitioner says, the competent authority may act accordingly. However, if the impugned transfer order is to be retained, then the petitioner may be heard before a final decision is taken. In case, hearing is required, then the period of 7 days shall stand extended by another 7 days within which time frame, a final opinion be expressed in writing and duly communicated to the petitioner.

The petitioner would be at liberty to move an application immediately before the competent authority for grant of status-quo to him till the final decision is taken. It is expected that the application will be considered on merits and if serious administrative chaos does not result, he may be retained at the present place of posting till the final decision is taken.

With these directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

February 26, 2015
Paritosh Kumar