

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

Mamta
24/08/2016 14:59
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**CWP No.15985 of 2016 (O&M)
Date of decision: 08th August, 2016**

Kamal Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Mukesh Rao, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

Heard. The petitioner suffers from 100% disability and is a post graduate teacher (PGT) serving in the Haryana School Education Department. He has been in service of the Education Department as a teacher prior to his direct recruitment as PGT to teach the subject of Hindi. After his direct appointment, he was posted to the Government Senior Secondary School Siha, Rewari, against a vacant post, vide order dated March 05, 2014 and was thereafter transferred on December 15, 2015 to teach in Government Senior Secondary School, Nahar, in the same District. His name on the transfer list stands at Sr. No.10165. He apprehends that he may be transferred out again though his tenure is short. He has made a request to the department which was accepted and on compassionate ground by way of a concession, when he was posted at the school at Village Nahar, where he is presently serving. Though his name is in the transfer list but no order has been passed or annexed with the petition. I have already passed the orders in transfer matters in CWP 13555 of 2016 titled *Anju Bala & Others v. State of Haryana and Others*, copy of which is annexed with this petition and to which further reference is not required since the Government is already

seized of the matter of posting and transfers of school teachers in a huge exercise.

Accordingly, this petition is disposed of with a request to the Head of the Department/competent authority to personally examine the grievance of the petitioner being a disabled person to the extent of 100% disability and to accommodate him, as far as possible, at the present place or closest to his native village Nahar, District Rewari. The officer may also note that the petitioner has been in the present school on the request accepted by the Department not long ago. After all, he was posted to Nahar by giving relaxation and he has been teaching there since December, 2015. After examining these circumstances, and other issues which might demand consideration, the competent authority would take a final call on the grievance of posing and it is ordered accordingly. However, till such time as the final decision is not taken, status quo shall be maintained with respect to the services of the petitioner at Nahar without visiting him with harm. If it is convenient or desired to personally hear the petitioner, for whom it may be difficult to travel to Chandigarh, the competent authority may hear him out on his official telephone and take an appropriate decision. Petition is disposed of.

08th April, 2016
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(RAJIV NARAIN RAINA)
JUDGE