

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

Date of decision: 16.08.2016

CWP No.16481 of 2016

Aruna

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vivek Khatri, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

Argues that the petitioner despite having opted for transfer to Government Girls Senior Secondary School, Dubaldhan (3155), District Jhajjar, but the same has neither been allotted to her nor to anyone else, as pleaded in her grievance removal representation dated 08.08.2016 (Annex P-4) against the impugned transfer order dated 06.08.2016 (Annex P-3).

Notice of motion.

On the asking of the Court, Mr. Harish Rathee, Sr. DAG, Haryana, accepts notice on behalf of the respondents and waives service on them. Mr. Khatri to supply requisite number of paper-books in the office of the Advocate General, Haryana and one extra copy to Mr. Rathee, during the course of the day.

Mr. Harish Rathee explains that a criteria has been formulated giving weightage in the matter of Teacher Transfer Policy-2016 to factors like age, special category etc. as mentioned at Pg.19 of the paper-book and

besides that there is a policy of zoning in place which all have to be assigned marks to evaluate competing inter se interests of the transferees.

Since a categorical statement has been made in the representation (Annex P-4) that the post of Hindi Teacher is still lying vacant at Dubaldhan and the marks given to the petitioner in terms of the weightage are sufficient for maintaining transfer of the petitioner to Dubaldhan, District Jhajjar and not to Jagadhri/Yamunanagar, then modest interference is called for the examination of the representation by the competent authority, for him to inform where she stands in reckoning as per option.

In view of the position explained, instead of calling for a reply from the State and delaying the matter, it would suffice if a direction is issued for consideration of the representation by respondent No.2 – Director, Secondary Education, Haryana to examine the case of the petitioner with reference to the criteria, with weightage towards age, zoning, option etc. This Court has no doubt that the Director, Secondary Education, Haryana will look personally into the matter and take a decision after hearing the petitioner in his office or over the official telephone, as the case may be, depending on mutual convenience, and to do so within a period of two/three days from the receipt of certified copy of this order.

Disposed of accordingly. Order dasti.

[RAJIV NARAIN RAINA]
JUDGE

16.08.2016
Vimal

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*