

**Sr. No. 119
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.17542 of 2016 (O&M)
Date of Decision: 29.08.2016**

Saroj Malik

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Anish Batra, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J. (ORAL)

Pleadings on record would indicate that the petitioner while serving as PGT/Lecturer (Hindi) under the Haryana State School Education Department was transferred from Government Senior Secondary School, Suchan Block Sirsa, District Sirsa to Government High School, Kirtinagar, Block Sirsa, District Sirsa vide order dated 06.08.2016 at Annexure P-4. In pursuance to such transfer order, the petitioner joined at the place of transfer on 09.08.2016.

Instant petition has been filed assailing the order dated 10.08.2016 at Annexure P-6 qua the petitioner in terms of which the previous transfer order dated 06.08.2016 has been cancelled.

Counsel appearing for the petitioner would inter alia contend that the order of transfer of the petitioner could not have been cancelled and para 5 sub para (vi) of a Teachers' Transfer Policy, 2016 has wrongly been applied in the case of the petitioner.

Counsel for the petitioner has been heard at length.

This Court is of the considered view that as a matter of transfer, an employee who has any grievance would be required to approach the employer/competent authority in the first instance.

Court has been apprised that a representation dated 11.08.2016 at Annexure P-7 has already been filed online.

Instant petition is disposed of in terms of granting liberty to the petitioner to file a comprehensive representation as regards her grievance against cancellation of transfer vide order dated 10.08.2016 (Annexure P-6) before respondent No.2. In the eventuality of any such representation being preferred within a period of one week from today, respondent No.2 would be obligated to look into the matter on merits and to take a final view/decision thereupon within a further period of two weeks thereafter.

Disposed of.

29.08.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No