

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 20235 of 2016
Date of decision: 28.9.2016

Rajesh Malik

... Petitioner

Versus

State of Haryana & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. SK Malik, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

The petitioner has been transferred in the same zone and if the transfer is at distance of 60 odd kilometers to another school that will not give him a right to sue for setting aside the order of transfer. The petitioner has been teaching in the present school for the last 3 years prior to the passing of the impugned order. Having heard the learned counsel for the petitioner I do not find sufficient reason to interfere in this petition in absence of any taint in the order as suffering from bias and malice and would, on the other hand, rather dismiss the same as not warranting intercession in the extraordinary writ jurisdiction.

However, the dismissal of the writ petition will not preclude the petitioner from seeking his administrative remedy against the transfer order before the competent authority. The objections, if any, filed by the petitioner would be, I have no doubt, considered, dealt with and decided by the Director School Education, Haryana within a week of receiving the certified copy of the order and the petitioner would be informed of the decision taken on his request without any delay. In case the petitioner requests personal

hearing, it shall be granted before passing of the order. In case merit is found in the representation the Officer would act accordingly.

With these observations and directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

28.09.2016
monika

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>