

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

**CWP No. 20649 of 2016
DECIDED ON : 03.10.2016**

Krishna Nehra

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present : Mr. R. S. Malik, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

There appears to be no palpable error committed by the Education Department in passing the impugned order which is wide enough to admit interference in the extra ordinary jurisdiction exercised by this Court under Article 226 of the Constitution of India. This remedy is meant to prevent injustice and not to interfere at the drop of the hat.

No mala fide has been alleged against any officer of the Education Department in causing the transfer. Both the petitioner and the fourth respondent have been transferred from two different schools and the rub appears to be with the forth respondent as she has withheld some information which has

benefited her in the marks calculated on the basis of formula adopted in the Teachers Transfer Policy-2016.

The petitioner has a right to press her representation. The competent authority would still consider the representation and pass an order on it within seven days from the date of receipt of certified copy of this order. The competent authority would be free to hear both the petitioner as well as fourth respondent to sort out their respective grievances in a fair and just manner.

With every transfer petition coming for hearing before this Court, an impression goes that all is not right in the Education Department. The said type of grievances is the duty of the Administrator to attend, if he wants to run a successful department which brings happiness to one and all.

With the above said observations, the writ petition is disposed of.

(RAJIV NARAIN RAINA)
JUDGE

OCTOBER 03, 2016
shalini

Whether speaking/reasoned

YES/NO

Whether reportable

YES/NO