

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

Date of decision: 21.10.2016

CWP No.21830 of 2016

Kuldeep Kumar

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ganesh Kumar Sharma, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

The petitioner, who is 100% blind, has approached this Court against threatened transfer to another school in implementation of the Teachers Transfer Policy-2016.

This Court has already expressed its opinion on the rights of teachers who are 100% blind/visually impaired that they were ordinarily not be transferred subject to work and conduct remaining overboard. This case is covered by the decision in CWP No.16119 of 2016, *Pardeep Singh and others v. State of Haryana and others*, decided on September 09, 2016.

Accordingly, the petitioner has sufficient protection of Court directions in a similar and identical case.

Notice of motion.

On the asking of the Court, Mr. Hitesh Pandit, Addl. AG, Haryana accepts notice on behalf of the respondents and waives service on them.

In view of the order proposed to be passed, it is not necessary to receive the reply from the State since the subject matter is no longer *res judicata*.

Accordingly, this petition is allowed with a direction that the petitioner would have the protection of the judgment in *Pardeep Singh's* case and will not be transferred unless he is facing disciplinary action etc. A direction issued in *Pardeep Singh'* case will cover the present one.

[RAJIV NARAIN RAINA]
JUDGE

21.10.2016
Vimal

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*