

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.26440 of 2016

Date of Decision: 20.12.2016

Ram Kishan

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Sandeep Thakan, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

1. Notice of motion.
2. On the asking of the Court, Ms. Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondent-State and waives service.
3. A copy of the petition has been supplied to Ms. Goyal.
4. Having read the order dated November 30, 2016 passed in pursuance to directions issued by this Court in CWP No.21515 of 2016 this petition is disposed of with a direction to the Director, Secondary Education, Haryana, Panchkula to consider the name of the petitioner in the second drive of transfers under the Teachers' Transfer Policy, 2016 which is stated to be underway as mentioned in the order itself. As a matter of fact, it has been recorded in the order that the petitioner is participating in the second transfer drive and his case for transfer will be considered as per the provisions of the transfer policy.
5. In view of this preservation of right to consideration in the second transfer drive, this petition becomes premature since the drive is not

concluded and final orders have yet to be passed. However, this Court expects that the Director, Secondary Education, Haryana, Panchkula and his department will act fairly, honestly and transparently in the second transfer drive of teachers in accordance with the criteria adopted in the Teachers' Transfer Policy, 2016.

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

7. Ms. Goyal to convey this order to the Director to impress upon him that transfer grievances are best sorted out holistically in the administration itself, which if he acts humanely, comprehensively, transparently and in a bona fide manner would stem the relentless flow of litigation in transfer matters to this Court burdening it with cases which involve mostly factual disputes involving personal problems while this court is not a court of fact.

(RAJIV NARAIN RAINA)
JUDGE

20.12.2016
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Whether speaking/reasoned	Yes
Whether reportable	No