

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

COCN No.2989 of 2016

Date of decision: June 01, 2017

Ajit Singh

...Petitioner

Versus

Rohtash Kharab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: None for the petitioner.

Mr. Rohit Arya, AAG, Haryana.

Rajan Gupta, J.(oral)

Petitioner alleges violation of order passed by the writ court,
operative part of which reads as under:-

“The petitioner is physically challenged. The petitioner is already stated to have filed numerous representations to the respondent/authorities but the same have not evoked any response. Suffice it to observe that the respondent-authorities/Competent Authority would certainly be obligated to keep in mind the Transfer Policy formulated by the State Government itself while issuing orders of transfer.

As such, while declining to interfere in the matter, the instant writ petition is disposed of in terms of granting liberty to the petitioner to approach the Director, Elementary Education, Haryana/respondent No.4 directly as regards his grievance against the impugned transfer. In the eventuality of any such representation being preferred, respondent No.4 would be obligated to consider the same and to take a final view thereupon in accordance with law and against the backdrop of the Transfer Policy formulated by the State Government.”

It is admitted before the court that petitioner and his wife both are 80% handicapped. Petitioner has been transferred to a place, which is about 50-60 kilometers away from Jind. While disposing of the writ petition, this court gave liberty to the Director, Elementary Education to consider the grievance of the petitioner and take a final view in the matter. It appears, that the genuine difficulty faced by the petitioner has not received attention of the authority. One opportunity is granted to the respondent department to take all facts, as submitted in the representation, into consideration and pass a fresh order with a view to alleviate the difficulty in travelling being faced by the petitioner.

Petition is disposed of in these terms. Director, Elementary Education Haryana would look into the entire matter afresh. In case needful is not done within two months from today, this petition would stand revived and will be listed on contempt side.

(RAJAN GUPTA)
JUDGE

June 01, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No