

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

**Civil Writ Petition No.13654 of 2017 &  
other connected petitions  
Decided on : 09.08.2017**

Rajesh Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present : Ms. Seema Arora, Advocate for  
Mr. C.M. Munjal, Advocate,  
Mr. Ramesh Goyat, Advocate,  
Ms. Sharmila Sharma, Advocate,  
Mr. Shalender Mohan, Advocate,  
Mr. G.S. Dhillon, Advocate,  
Mr. Jagjeet Beniwal, Advocate,  
Mr. Navneet Jindal, Advocate,  
Mr. A.K. Singh Goyat, Advocate,  
Mr. Ram Kumar Saini, Advocate,  
Ms. Seema, Advocate,  
Mr. Deepam Raghava, Advocate  
for the petitioners.

Mr. Harish Rathee, Sr. DAG, Haryana.

**G.S. Sandhawalia, J. (Oral)**

The present order shall dispose of 75 writ petitions i.e  
CWP Nos.13654, 13829, 13694, 13924, 13955, 14016, 14099, 14361,  
14392, 14735, 14744, 14796, 15160, 15175, 15180, 15195, 15196, 15405,  
15478, 15492, 14924, 14931, 14962, 15018, 15021, 14022, 14261, 15304,  
14021, 15465, 15482, 15491, 15629, 15632, 15675, 15690, 15771, 15874,  
15884, 15910, 15924, 15930, 15934, 15988, 16079, 16153, 16159, 16164,  
16166, 16176, 16218, 16273, 16336, 16396, 16497, 16767, 16641, 16590,  
16594, 17073, 17026, 17074, 16990, 16186, 16324, 16732, 16934, 16935,

**16944, 17142, 17166, 17210, 17249, 17349, 17350 of 2017.**

In the present bunch of cases which are many in number, whereby the Drivers and Conductors, who are working with the Haryana Roadways are aggrieved against the transfer orders before a period of two years. In certain cases, it has come to the notice of this Court that transfers were made on the ground of being a “Longer Stayee” within four to six months from the employee joining at a particular place. In such circumstances, this Court had stayed the transfer orders in the cases, where the petitioners had approached the Court at the earliest.

On 24.07.2017 the following order was passed:-

*“ The present bunch of cases are pertaining to mass transfers of the Drivers and Conductors, working with the Haryana Roadways, at various stations in the State of Haryana, conducted by the State. The basic grouse of the petitioners is that they have been transferred in a period of around one year, which is in violation of the transfer policy, as such.*

*Let an affidavit be filed, justifying the grounds for transfers, which have been made, allegedly on the ground that the petitioners are “Longer Stayee” and as to how the persons who have been just posted for a period of one year, have been termed as a “Longer Stayee”. The affidavit shall also mention whether the State is willing to reconsider the said aspect, keeping in view the policies issued by the State itself.*

*To come up on 09.08.2017.*

*Photocopy of this order be placed on the record of each connected case.”*

Today, communication dated 09.08.2017 from the Director, State Transport Haryana, Chandigarh has been placed on record, wherein it has been mentioned that on re-consideration the impugned orders in the

75 cases have been cancelled qua the petitioners and the writ petitions have become infructuous. It has further been mentioned that the State has directed all General Manager for relieving/joining the petitioners on stay/cancellation of orders.

Keeping in view the above, the present writ petitions are accordingly disposed of as having been rendered infructuous. However, the State shall not implement the transfer orders wherever the petitioners have been transferred before a period of two years in the peculiar facts and circumstances, as it has been found that there are no justiciable grounds as such, for such mass scale transfers.

The writ petitions are accordingly disposed of with the abovesaid terms and conditions, in view the communication of the State itself.

**AUGUST 09, 2017**  
*Naveen*

**(G.S. SANDHAWALIA)**  
**JUDGE**

*Whether speaking/reasoned:*  
*Whether Reportable:*

*Yes/No*  
*Yes/No*