

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 18623 of 2017
Date of decision: 21.08.2017

Satbir Singh

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Ms. Sharmila Sharma, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner, who is a conductor, challenges the impugned transfer order dated 17.07.2017 (Annexure P-2) whereby, he has been transferred from Bhiwani to Chandigarh.

It is his case that he was posted at Bhiwani only on 13.06.2016 (Annexure P-1) and, therefore, the said transfer is against the policy dated 06.10.2004 (Annexure P-3). Counsel places reliance upon concession given by the State in similar set of cases, lead case of which is ***CWP No. 13654 of 2017, Rajesh Kumar vs. State of Haryana and others***, decided on 09.08.2017. Relevant observations read thus:-

“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.”

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice. Copy of the writ petition has been supplied to her.

Keeping in view the above facts, the present writ petition is disposed of with direction to the petitioner to file a representation to Director, State Transport, Haryana Roadways, who will take a decision on the representation filed by the petitioner within a period of 2 weeks from the date of filing of the same as to how the petitioner's case is to be considered in view of the undertaking given on an earlier occasion in a bunch of cases.

21.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No