

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.20979 of 2017

Date of decision:15.09.2017

Vijay Kumar

... Petitioner

versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr. R.K. Girdhwal, Advocate
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

The petitioner in this petition, who is working as a Conductor in the Haryana Roadways, was transferred from the Faridabad depot to the Jhajjar depot, vide an order dated 20.11.2015 (Annexure P-1), and has been transferred again before completion of two years from the said depot. He has been transferred from Jhajjar depot to Gurugram depot vide the impugned order dated 14.07.2017, Annexure P-3. Hence, learned counsel submits that the petitioner having been transferred out of Jhajjar before completion of two years, his case is covered by the judgment of this Court dated 01.09.2017, passed in CWP no.17899 of 2017.

Though it is seen that the petitioner would have now completed two years of service at Jhajjar in November, 2017, however a view having already been taken by this Court as regards posting out of persons, this petition is allowed in the same terms as CWP no.17899 of 2017. The impugned order Annexure P-3 is quashed with a direction to the official respondents to go into the issue and see whether the petitioner would be

covered by the ratio of the aforesaid judgment, i.e. as to whether the petitioner has a lesser stay than other persons in the Haryana Roadways Jhajjar depot, and therefore would need to be retained at the said depot, with any other persons with a longer stay to be posted out, or not.

The necessary rationalization process be undertaken within a period of two months from the date of receipt of a certified copy of this order.

15.9.2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No