

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

CWP No. 24092 of 2017
Date of decision: 26.10.2017

Anita Rani

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Manoj Chahal, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks quashing of order dated 06.09.2017 (Annexure P-4) whereby, she has been allegedly transferred against the Teachers Transfer Policy, 2016. The transfer has been effected from Government Girls Sr. Sec. School, Manheru (320), Bhiwani to Government Sr. Sec. School, Siwani Mandi (359), Siwani, Bhiwani.

It is the case of the petitioner that she had been posted at the school at Manheru on 08.03.2016 and, therefore, as per the transfer policy, she had an option not to be transferred and she had accordingly filled in the same as per Transfer Participation Log Details (Annexure P-3). In spite of the same, she has been transferred.

Counsel further submits that objection has been filed bringing this fact to the notice of respondent no. 2 and the petitioner was called for personal hearing on 29.09.2017 (Annexure P-5) but in spite of that, no action has been taken. Counsel further submits that he would be satisfied if the said objection/representation is decided within a time bound frame.

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, this Court is of the opinion that no useful purpose would be served to ask the respondents to file reply as the decision making process is still pending.

Accordingly, without commenting on the merits of the case or the entitlement of the petitioner for the abovesaid relief and keeping in view the fact that the matter is still pending consideration, the present writ petition is disposed of with a direction to respondent no. 2 to take into consideration the objection/representation received regarding the transfer and whether the petitioner was liable to be transferred or not keeping in view the policy and the options given by her. The decision on the objection/representation be taken within a period of 4 weeks from the date of receipt of certified copy of the order. In case any adverse order is to be passed, a reasoned order be passed and conveyed to the petitioner.

26.10.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No