

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

**Civil Writ Petition No.24958 of 2017
Decided on : 02.11.2017**

Mohan Bhardwaj

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present : Mr. Ram Niwas Sharma, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks quashing of the transfer order dated 09.10.2017 (Annexure P-4), vide which he has been transferred from Municipal Corporation, Panchkula to Municipal Council, Sirsa as Chief Sanitary Inspector.

It has been pointed out that the Executive Officer of Municipal Council, Sirsa vide order dated 09.10.2017 (Annexure P-7) communicated to respondent No.2 that there is only one sanctioned post of Chief Sanitary Inspector and that is already filled up and, therefore, the petitioner may be transferred to any other Municipal Council.

Counsel for the petitioner submits that the petitioner had been relieved on 26.10.2017 (Annexure P-5) and now vide representation dated 28.10.2017 (Annexure P-8) has requested that either his transfer be cancelled or he may be adjusted against vacant post lying in Municipal Council, Kaithal.

It is also further pointed out that on an earlier occasion only on

14.12.2016, he had been posted at Municipal Council, Rewari, before he had been shifted to Panchkula.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of respondents No.1 and 2 and prays for time. Copies of the paper-book have been supplied to her.

Keeping in view the above, no useful purpose will be served by calling upon the respondents to file reply.

Accordingly, respondent No.2 is directed to take immediate action on the request dated 28.10.2017 (Annexure P-8) within 10 days and depute the petitioner at an appropriate vacant post. The said respondent shall take into account the fact that the petitioner had been posted only on 15.05.2017 at Panchkula (Annexure P-3) and had now been transferred after 5 months, which is against the transfer policy dated 06.10.2004 (Annexure P-10), which provides an employee will be retained for 2 years, except for compelling administrative reasons.

Accordingly, the present writ petition is disposed of with the above said directions.

NOVEMBER 02, 2017
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No