

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

CWP No.24960 of 2017

DATE OF DECISION:02.11.2017

Pawanjit Singh

...Petitioner

Vs.

State of Punjab & others

..Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Kapil Kakkar, Advocate
for the petitioner.

DAYA CHAUDHARY, J.(ORAL)

The grievance of the petitioner in the present petition is that he has been transferred during mid session and even at a place where there is no vacant post as reflected from the letter written by the Principal which is annexed as Annexure P-5. Admittedly, the petitioner has not been relieved so far and only on the basis of letter of Principal, he has approached this Court on the ground that the petitioner cannot be posted there as per transfer order.

The petitioner has approached this Court to quash the order only on the ground that transfer order has been passed in mid session and he has been harassed. Petitioner is still at the present place of posting from where he has been transferred and he has not been relieved so far.

No writ of mandamus can be issued and the case is premature at this stage as the petitioner has not joined his duties and only on the basis of letter written by the Principal he has approached this Court. However, petitioner is at liberty to move representation to the Competent Authority mentioning all the facts. In case such representation is moved by the

petitioner within a period of two weeks from today, the respondents authorities are directed to consider the same and decide in accordance with law and keeping in view the fact that no post is vacant where the petitioner has been transferred within a period of two weeks only from the date of receipt of copy of the order. Meantime, it is directed that the petitioner be not relieved from the present place of posting till the decision is taken on the representation.

Disposed of accordingly.

02.11.2017
rimpal

(DAYA CHAUDHARY)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
Whether reportable:	Yes/No