

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

**CWP No.22821 of 2018
Date of Decision:03.10.2018**

Satish Kumar and others

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Anurag Goyal, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

Petitioners are praying for quashing of the impugned order dated 03.08.2018 (Annexure P-15) putting the petitioners in the Commercial Wing in pursuance to the letter dated 02.05.2018 which was issued after their joining/appointment in the respondent/Department and further directions to the respondents to give right of option to the petitioners to choose a particular wing out of Regulatory/Commercial Wing as per their own choice.

Learned counsel for the petitioner submits that petitioners have been selected and appointed as Clerks on regular basis as per appointment letters dated 03.04.2018 issued by the Transport Department, Haryana. After their appointment, Transport Department has been bifurcated in two wings i.e. Commercial and Regulatory wings. The grievance of the petitioners is that their requests for exercising an option to join one of the two departments is not being accepted by the respondent/Department. Learned counsel further submits that it was nowhere mentioned or informed to the petitioners that they are to give option for choosing a wing out of two wings.

Notice of motion.

Mr.Kiran Pal Singh, AAG Haryana, has appeared and accepts notice on behalf of respondent/State.

Learned counsel for the petitioner has referred to the judgment in the case of Baljinder Singh and others vs. State of Haryana passed in CWP No.10568 of 2013,(Annexure P-14) whereby, regular employees have been

given option to select one of the two bifurcated departments. He further submits that petitioners have filed their representation (Annexure P-12) to this effect before the authority concerned but all in vain.

In view of the above, the present writ petition is disposed of by giving directions to the respondents to give opportunity to the petitioners who are probationers also for personal hearing and look into their representations (Annexure P-12) and decide the same within a period of 6 months.

(RITU BAHRI)
JUDGE

03.10.2018.
anil

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No