

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

CWP No.27178 of 2018
Date of decision 23.10.2018

Ravinder Kumar

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Lalit Pardhan, Advocate,
for the petitioner.

Ritu Bahri, J. (oral)

Petitioner is seeking a writ of certiorari for setting aside the order dated 04.07.2018 (Annexure P-7), whereby his claim has been rejected by respondent No.2. He is further seeking setting aside of the order dated 25.10.2017 (Annexure P-3), whereby transfer order dated 07.06.2017 (Annexure P-2) has been withdrawn/cancelled.

Vide order dated 07.06.2017 (Annexure P-2), petitioner was transferred from Ambala Depot to Bhiwani being a couple case. This transfer order was challenged by one Parkash Singh before this Court by filing CWP No.19200 of 2017, in which operation of the said order was stayed vide order dated 01.09.2017. Thereafter, the present petitioner was sent back to Ambala.

Grievance of the petitioner is that it was a couple case as his wife is working as Political Science Teacher in Bhiwani. Therefore, petitioner prays that he should be again sent back to Bhiwani. Earlier, the petitioner filed CWP No.24550 of 2017 (Annexure P-4) before this Court,

which was disposed of on 30.04.2018 by giving direction to the respondents to consider the case of the petitioner in terms of the judgment passed by this Court in CWP No.24190 of 2017, titled as **Dilbag Singh vs. State of Haryana and others** (Annexure P-6). Similar orders were passed in CWP No.17899 of 2017, titled as **Rajender Singh vs. State of Haryana and others** (Annexure P-5). Learned counsel for the petitioner states that till date, no steps have been taken by the respondents to adjust the petitioner in Bhiwani, where his wife is working as a Teacher.

A perusal of the judgment passed in CWP No.24190 of 2017 (Annexure P-6) shows that transfer policy dated 06.10.2004 has been flouted by the respondents, inasmuch as, transfers had been made on a mass scale, retaining persons with very long stays in a particular depot, while transferring out those with much shorter stays, stating in the transfer order that such transfer is “on account of a longer stay.” While disposing of the said petition, direction was given to the Director General, State Transport, Haryana to comply with the aforesaid directions, as also those passed on 01.09.2017, as regards transfer of employees referred to as the “first and second set of employees” in that order. Hardship of the employees having children studying in Classes 11th and 12th was also to be kept in mind, as these are the crucial years in the academic career of the students.

Notice of motion.

On the asking of the Court, Ms. Palika Monga, DAG, Haryana, accepts notice on behalf of the respondent-State.

Keeping in view the judgment passed by this Court in **Rajender Singh's** case (supra), this petition is disposed of by giving direction to the respondents to consider the case of the petitioner at the time

of general transfers in March/April next year as per transfer policy (Annexure P-1) being a couple case because his wife is working as a Teacher in District Bhiwani.

23.10.2018

ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No