

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.559 of 2018

Date of Decision : 19.04.2018

Jyoti Rana

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr.Rajender Singh Malik, Advocate for the petitioner.
Mr. Gaurav Jindal, Addl. A.G. Haryana.

ARUN PALLI, J. (Oral)

The petitioner is employed as PGT (Mathematics) and is currently employed at Government Senior Secondary School, Kanonda (Jhajjar). She is aggrieved by a letter dated 8.12.2017 (Annexure P-5), vide which, her request for her transfer to Government Girls Senior Secondary School, Bahadurgarh (Jhajjar) has since been declined.

In the written statement filed on behalf of the respondents, it is maintained that prior to her transfer, the petitioner had since served at Government Girls Senior Secondary School, Bahadurgarh (Jhajjar), itself, from 6.3.2001 to 13.07.2015, thus, her request was/is apparently misconceived. Even otherwise, she had already completed more than 5 years in Zone-3, that is block headquarter, therefore, in terms of Haryana Transfer Policy, 2016, amended vide order dated 5.6.2017, she could not opt to be transferred again to Zone-3. Further, the actual distance between Bahadurgarh to Kanonda was only 11 kilometers.

Though, *ex facie*, in terms of the Haryana Teachers' Transfer

Policy and the stand set out in the written statement it was not feasible to accept the request of the petitioner, but it is also true that the petitioner is suffering from multiple health issues, and particularly; renal failure. And since she belongs to Bahadurgarh, it is urged that commuting on day to day basis to the place of her current posting causes immense hardship.

In response, learned State counsel submits that in the wake of the ailing health of the petitioner, the respondents/authorities shall re-visit the matter and see if at all it is still viable to adjust the petitioner at Bahadurgarh. And in the event the authorities arrived at any such conclusion the necessary orders shall be passed and communicated to the petitioner within a period of three weeks.

The petition is accordingly, disposed of, in the above terms.

19.04.2018

Manoj Bhutani

(ARUN PALLI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No