

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

CWP No.9054 of 2018.

Decided on:-April 11, 2018.

Ravi Bhushan.

.....Petitioner.

Versus

State of Punjab and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. R.K. Arora, Advocate
for the petitioner.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Article 226/227 of the Constitution of India is for quashing of the order dated 03.04.2018 (Annexure P-5) passed by the respondent No.2, whereby the petitioner, who was working as Junior Assistant in the office of Circle Education Officer, Jalandhar has been transferred to the office of District Education Officer (SE), SBS Nagar against a vacant post.

Learned counsel for the petitioner refers to the guidelines for transfer and posting of the Government employees issued by the Punjab Government on 19.04.2012 (Annexure P-7) and states that a Government employees/officers, who are going to retire during the next two years, be allowed to be posted in the same District or in the same place of posting upto

their retirement. But still in violation of the aforesaid guidelines, the petitioner has been transferred from Jalandhar to SBS Nagar.

He further states that the guidelines are still in force and have neither been superseded nor revoked. For this transfer, the petitioner has submitted a representation dated 05.04.2018 (Annexure P-6), which is still pending consideration before the Director of Public Instructions (SE), SAS Nagar (Mohali).

Notice of motion.

On asking of the Court, Ms. Devaki Anand Sullar, AAG, Punjab accepts notice on behalf of the respondents.

Let requisite number of copies of paper book be given to learned State counsel during the course of the day.

Without observing anything on the merits of the case, but considering the fact that the petitioner is going to be retired on 30.11.2018 and on the basis of guidelines (Annexure P-7), he has sought protection against his transfer, the present petition is disposed of with a direction to respondent No.2 to take a decision on the representation dated 05.04.2018 (Annexure P-6) submitted by the petitioner within a week from the date of receipt of certified copy of this order. Till the decision of said representation, the petitioner shall not be relieved from his posting at Jalandhar, if not relieved so far.

April 11, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No