

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 2444 of 2019
Date of decision :06.03.2019

Ravinder Kumar

...Petitioner(s)

versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vishal Nehra, Advocate for the petitioner.

RITU BAHRI, J. (Oral)

The petitioner is seeking quashing of the transfer policy dated 23.12.2018 (Annexure P-2) issued by Transport Department on one ground that in this policy there is no provision to get posting at home town if the parents of an employee are suffering from chronic diseases.

A perusal of the policy dated 23.12.2018 (Annexure P-2) shows that at point No. 6, merit criteria for allotment of posting has been given and the major fact is to be considered is age and second set of merit points includes special category female employees, special category male employees, differently abled employee, diseases of debilitating disorders, mentally challenged children, couple case, and academic qualification of children of the employees that if the child is studying in 11th or 12th class. The minus point will be given to those who have been awarded punishment in negative performance head.

The grievance of the petitioner is that in merit criteria, there is no provision for granting marks to the employee whose parents are suffering from chronic diseases and this condition was available in the transfer policy of the year 2017.

This Court is of the view that the Government, after application of mind, has not included parents suffering from chronic

diseases as a ground for awarding marks for allotment of posting. However the allotment of posting at a particular situation is a concession granted by the Government to its employees.

After perusal of point No. 6, no case is made out to interfere in the transfer policy dated 23.12.2018 (Annexure P-2) for providing marks to an employee whose parents are suffering from chronic diseases as due consideration has been given in this policy to give preference to those employees whose children are studying in 11th and 12th class and this transfer policy has been made to accommodate employees keeping in view their hardships whose children are studying in 11th or 12th class. However parents are not included in this policy since parents can stay anywhere with their children and that should not cause hardships to the employees.

Dismissed.

06.03.2019
Divyanshi

(RITU BAHRI)
JUDGE

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