

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-4713-2019

Date of decision:22.02.2019

Phool Kumar

...Petitioner

V/s.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. P.K. Sehrawat, Advocate for the petitioner.

RITU BAHRI, J. (Oral).

The petitioner is challenging order dated 14.02.2019 (Annexure P-1) whereby he has been transferred from Kurukshetra to Fatehabad and Jaswant Singh has been transferred from Fatehabad to Kurukshetra, on his request. The petitioner was posted in Kurukshetra for a period of only one and a half year as is evident from order dated 28.07.2017 (Annexure P-2). As per clause (iii) of the transfer policy dated 06.10.2004 (Annexure P-4), ***transfer on request of an employee may generally be either on mutual basis or against a vacant post.***

Learned counsel for the petitioner submits that the transfer on request can be made on a vacant post and not by transferring the petitioner.

Notice of motion.

Ms. Palika Monga, Deputy Advocate General, Haryana accepts notice on behalf of the official respondents.

Writ petition is allowed and the order dated 14.02.2019 (Annexure P-1) is quashed. The respondents can adjust Jaswant Singh on any vacant post in Kurukshetra.

(RITU BAHRI)
JUDGE

22.02.2019

Divyanshi

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No