

CWP No.19308 of 2019

{1}

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

CWP No.19308 of 2019

Date of decision:18.07.2019

Vikas Saini

... Petitioner

Vs.

Haryana Shehri Vikas Pradhikaran

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Deepak Sonak, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Notice of motion

On asking of Court, Mr. Deepak Balyan, Advocate, who is present in Court, accepts notice on behalf of respondent.

Prayer in present writ petition is for quashing the impugned order dated 11.07.2019 (Annexure P-3) vide which petitioner has been transferred from Panchkula to Palwal which is about 300 kms.

Learned counsel for the petitioner submitted that on 22.03.2005, petitioner was appointed as Clerk on compassionate grounds. He was falsely implicated in FIR no.631 of 2017 registered under Sections 420, 467, 468, 471, 201, 212 and 120-B of Indian Penal Code and Section 10, 12, 13, 7 and 8 of Prevention of Corruption Act and remained in judicial custody for a period of three months and thereafter, released on bail in March 2018. Challan has been filed and charges have been framed only under Sections 7, 10 and 13 of Prevention of Corruption Act. In such circumstances, petitioner was placed under suspension on 08.12.2017 and

thereafter, reinstated on 18.6.2018. Vide order dated 12.06.2018, he was served with charge sheet.

The Government has come out with a policy in order to prevent the hardship of coupled case where both husband and wife are government employees. The wife of petitioner is working as Teacher in Zirakpur but instructions are silent. Though petitioner has submitted a representation dated 15.07.2019 (Annexure P-7) to the Chief Administrator, Haryana Shahari Vikas Pradhikaran, Panchkula but no action has been taken so far.

Without going into merit of case or commenting thereon, I deem it appropriate to dispose of present writ petition with a direction to respondent to decide the representation dated 15.07.2019 (Annexure P-7) within a period of three weeks from the date of receipt of certified copy of this order. In case, representation is not decided within aforementioned specified time, there shall be costs of Rs.50,000/- to be paid by the concerned officer to the petitioner.

(AMIT RAWAL)
JUDGE

July 18, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No