

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

**CWP No.17870 of 2017
Date of decision: 29.04.2019**

Mukesh Kumar & anr.

.....Petitioners

Versus

State of Haryana & others

....Respondents

CORAM: HON'BLE MR. JUSTICE B.S. WALIA

Present: None for the petitioner(s).

Ms. Shruti Jain Goyal, DAG, Haryana.

B.S. WALIA, J (ORAL)

1. Writ petition qua petitioner No.1 was dismissed as having been rendered infructuous vide order dated 07.03.2019. Qua petitioner No.2, challenge in the writ petition is to transfer order Annexure P/5 dated 15.6.2017 on the ground that the transfer was in violation of the transfer policy besides being contrary to the reason of long stay at the same station as attributed vide transfer order Annexure P/5 dated 15.06.2017, as the petition had stay of only 11 months and 17 days at the station prior to the passing of the impugned order.

2. Learned State counsel states that the State Transport Department has framed a Transfer Policy as per which employees have been given the right to submit option for transfer to a particular station with transfers to be decided on the basis of options given and criteria stipulated in the Policy and that in the circumstances, the writ petition be disposed of by granting liberty to petitioner No.2 to seek transfer, if so desired, to a particular station in accordance with the transfer policy.

3. None is present on behalf of petitioner No.2. However, in view of the new Transfer Policy having come into operation, the writ petition is disposed

of by granting liberty to petitioner No.2 to give option for consideration by the competent authority at the time of transfers in accordance with the transfer policy as referred to above.

4. In the eventuality of option being given by petitioner No.2 for transfer to a particular station, the option given by the petitioner would be considered at the time of transfer in terms of the Transfer Policy. In the meantime, till such time that fresh orders are passed by the competent Authority, petitioner No.2 would continue at the existing station.

5. Writ petition disposed of in the aforementioned terms.

April 29, 2019
ps

(B.S. WALIA)
JUDGE

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