

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

**CWP No.21572 of 2019
Date of decision:10.09.2019**

Dilbagh Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Karanjeet Singh Brar, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Petitioner has sought quashing of impugned order dated 28.07.2019 (Annexure P-1) vide which respondent no.4 has been appointed as District Horticulture Officer, Panchkula in place of petitioner.

As per averments in writ petition, petitioner was appointed as Horticulture Development Officer in 2004 at Barwala Hisar and in October 2008, transferred from Hisar to Panchkula as Assistant Project Officer/Technical Assistant on the basis of current duty charge. His services were regularized in 2012. Thereafter, in 2014, was promoted to the post of Subject Matter Specialist/Vegetable Specialist equivalent to the post of District Horticulture Officer. On 31.08.2016, was transferred from the post of Organic Specialist Headquarter to District Horticulture Officer, Panchkula against one Mr. Ajesh Kumar.

Mr. Karanjeet Singh Brar, learned counsel appearing on behalf of the petitioner submits that within period of one year without any reason,

petitioner was again transferred from District Horticulture Officer Panchkula to Nursery Specialist, Directorate of Horticulture (Headquarter) and thereafter, again within 15 days, from Nursery Specialist, Directorate of Horticulture, (Headquarter) to District Horticulture Officer, Panchkula but after 15 days, one Rachpal Singh has been posted on the post of District Horticulture Officer without any reason. However, after 15 days finding the work and conduct of petitioner to be upto mark and quite satisfactory, again appointed as District Horticulture Officer which was challenged by Rachpal Singh before this Court and said order was stayed, thereafter, department has withdrawn the said order on 28.09.2017. Respondent no.4 was appointed as District Horticulture Officer who is junior to petitioner and in this regard, submitted representation dated 04.07.2019 but no action has been taken so far.

I have heard learned counsel for petitioner, appraised paper book and of view that writ petition sans of seniority list, orders and appointment letters alleging discrimination of the seniority. Pendency of writ petition after withdrawal of order would be inconsequential. No provision of rule and law has been referred to qua posting of respondent no.4 as District Horticulture Officer.

At this stage, Mr. Karanjeet Singh Brar, Advocate submits that direction may be issued to respondent no.3 to decide representation dated 04.07.2019 within some reasonable time by passing a speaking and reasonable order.

The request is fair and just. Respondent may take decision on representation in accordance with law.

Writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

September 10, 2019
savita

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