

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

207

CWP No.6331-2016

Date of Decision: February 07, 2019

S.P. Ranga

.....Petitioner(s)

versus

State of Haryana and others.

.....Respondent(s)

CORAM: HON'BLE MS.JUSTICE RITU BAHRI

Present: None for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Mr. Saksham Malhotra, Advocate for
Mr. Amar Vivek, Advocate for respondents No.2 to 4.

RITU BAHRI, J. (Oral)

Petitioner is seeking quashing of posting order dated 16.03.2016 (Annexure P-5) whereby he has been transferred and posted on the lower/feeder post as Estate Manager, Housing Board, Haryana, Rewari/Narnaul.

On 04.04.2016, notice of motion was issued and operation of the impugned order was stayed.

On 28.11.2017, none appeared on behalf of the petitioner and the matter is now being taken up on 7.02.2019. As per the impugned order dated 16.03.2016 (Annexure P-5), the petitioner had been transferred to Rewari after withdrawing additional charge of Estate Manager, Housing Board Haryana, Rewari/Narnaul from Sh. Maha Singh and Sh. Vinod Thakur, Assistant Engineers.

On transfer of the petitioner from Panchkula, one Sh. Gian Chand, Revenue Officer was entrusted the additional charge of RO(E&A) and he was also holding the additional charge of Chief Revenue Officer(PM) with immediate effect.

In the written statement, respondent Nos.1 to 4 have stated that he has been in Panchkula for the last more than 10 years at one position or other. Petitioner vide communication dated 09.05.2012 (Annexure R-1) given in writing that he be reverted back to the post of Estate Manager from the post of Revenue Officer and he shall not claim any promotion in future. After he has given letter (Annexure R-1), has promoted as Revenue Officer and thereafter again vide letter dated 12.5.2011 (Annexure R-4), he made request that he is not interested to the post of Revenue Officer and want to revert back as Estate Manager. The request of the petitioner was again sent vide letter dated 28.03.2012(Annexure R-5). In Para No.7 of the Preliminary submissions, it has been further clarified that earlier petitioner has foregone promotion as Revenue Officer twice vide letter dated 22.02.2011 (R-4) and dated 28.03.2012 (R-5)and thereafter he again sent letter dated 09.05.2012, he clearly submitted that he will not claim promotion in future. That since the petitioner had already foregone promotion twice and then he was reverted by order of the then C.A. HBH, thus, there was no reason to again consider him for promotion, yet, the then Chief Administrator vide his order dated 04.09.2015 again promoted the petitioner as Revenue Officer Annexure R-7 (Colly).

Keeping in view the several complaints against him, the petitioner is reverted back to the post of Estate Manager and he was transferred and filed

this Writ Petition and got stay. After going through the relevant Annexures R-1 to R-7 collectively, this petition deserve to be dismissed.

Dismissed.

February 07, 2019
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[RITU BAHRI]
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No