

(147) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.37414 of 2019

Date of decision: 20.12.2019

Nitya Nand Yadav

...Petitioner

Versus

State of Haryana and anr.

... Respondents

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. S.K. Yadav, Advocate for the petitioner.

B.S. WALIA, J. (ORAL)

[1] Learned counsel for the petitioner contends that the petitioner has been transferred vide order, Annexure P-1 dated 13.12.2019 purportedly on his own request whereas the petitioner never made any such request. Leaned counsel states that despite the petitioner having submitted representation, Annexure P-3 dated 16.12.2019, highlighting that no request had been made by him for transfer and requesting for being allowed to continue at the present place of posting, the representation has not been decided till date and in the circumstances, the petitioner would be satisfied if the writ petition is disposed of by directing respondent No.2 to consider and decide the representation, Annexure P-3 dated 16.12.2019 in accordance with law in a time bound manner.

[3] Notice of motion.

[4] Mr. Harish Rathee, Sr. DAG, Haryana accepts notice and states that he has no objection to the limited prayer of the learned counsel for the petitioner.

[5] Without commenting upon the merits of the claim or the entitlement of the petitioner to the relief claimed, the writ petition is disposed of by directing respondent No.2 to consider and decide the representation, Annexure P-3 dated 16.12.2019 in accordance with law after taking into account all aspects of the matter within a period of one week from the date of receipt of certified copy of this order. Till such time that decision is taken on the representation, the petitioner shall be allowed to continue at his present place of posting. However, further continuation at the present place of posting or elsewhere would be subject to the outcome of the decision to be taken by respondent No.2.

20.12.2019
amit

(B.S. Walia)
Judge

1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.