

IN THE HIGH COURT OF PUNJAB ANDHARYANAAT
CHANDIGARH

CWP No. 357-2020
Date of decision:-13.01.2020

Ramswaroop Sahoo

.....Petitioner

vs.

State of Haryana and ors.

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Vaibhav Jain, Advocate
for the petitioner.

RITU BAHRI, J.(Oral)

Petitioner has filed the present petition challenging order dated 13.12.2019 (P-2) and further prayer of the petitioner is for issuance of direction to the respondent Nos. 1 and 2 to allow him to continue as Subject Matter Specialist (SMS) at Bhiwani .

Brief facts of the case are that on 12.08.2004, the petitioner joined as Horticulture Development Officer (HDO) in the respondent-department at Ambala and on 10.08.2018, he has been transferred to Bhiwani but now vide impugned order dated 13.12.2019 (P-2), he has been transferred to Karnal, which is against instructions dated 07.04.1989 (P-1).

Issue notice of motion.

On asking of the Court, Mr. Kiran Pal Singh, AAG, Haryana accepts notice on behalf of the respondent-State.

Learned State counsel on instructions has submitted that there is no vacant post at Bhiwani.

On the other hand, learned counsel for the petitioner has

submitted that vide impugned order dated 13.08.2019, respondent Nos. 3

and 4 have been transferred at Bhiwani. There is no explanation given by the State that why vacant post at Karnal could not be filled by posting respondent Nos. 3 and 4 at Karnal. Further the transfer of the petitioner is against instructions dated 07.04.1989 (P-1).

In view of the above factual position, the present writ petition is allowed and order dated 13.12.2019 (P-2) qua petitioner is set aside.

13.01.2020

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No