

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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CWP-1586-2020

Date of decision: 21.01.2020

JASBIR KAUR

...PETITIONER

V/S

STATE OF PUNJAB & ORS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

**Present: Mr. Preetwinder Singh Dhaliwal Advocate,
for the petitioner.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this writ petition is to the order dated 10.01.2020 (Annexure P-6), vide which the earlier transfer order transferring the petitioner from Govt. Senior Secondary School Khanori Mandi, Sangrur to Govt. Senior Secondary School NTC Rajpura, Patiala, has been cancelled.

It is the contention of the learned counsel for the petitioner that earlier the petitioner was transferred from Govt. Senior Secondary School, Khanori Mandi, Sangrur to Govt. Senior Secondary School NTC Rajpura, Patiala vide order dated 18.12.2019 (Annexure P-2). In pursuance to the said order, petitioner has joined at Govt. Co-Ed. Senior Secondary School, NTC, Rajpura, Patiala on 19.12.2019 (Annexure P-4) but the said order has been cancelled vide order dated 10.01.2020 (Annexure P-6) in the light of the order dated 06.01.2020 (Annexure P-5) passed by this Court in CWP No. 37632 of 2019 titled as Inderjit Singh vs. State of Punjab and others.

Counsel for the petitioner contends that the transfer order, which has been passed in favour of the petitioner, where she had joined, now has been cancelled by the respondents without even giving an opportunity of hearing to the petitioner and that too, when she had already joined the place of her posting. He, thus, contends that the impugned order cannot sustain.

I have considered the submissions made by the learned counsel for the petitioner and with his assistance, have gone through the pleadings as well as the impugned order.

Counsel for the petitioner has placed on record the order dated 06.01.2020 passed by this Court in CWP No. 37632 of 2019 titled as Inderjit Singh vs. State of Punjab and others, wherein the petitioner-Inderjit Singh had approached this Court with the plea that he was at the fag end of his service and was on extension for a period of one year which was to expire on 31.12.2020. It is under these circumstances that the order dated 06.01.2020 was passed staying the operation of the order of transfer dated 18.12.2019. The reason why the stay has been granted by this Court makes everything apparent as it was in the interest of justice that such an order has been passed. Further, the cancellation order is as a consequence of the interim order passed by this Court in a writ which is still pending, therefore, cannot be interfered with in this writ.

In view of the above, finding no merit in the present writ petition, the same stands dismissed.

January 21, 2020

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No