

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

**CM-3003-2020 in/and
CWP-6191-2019
Date of decision:25.02.2020**

Mithlesh Gaba

...Petitioner(s)

V/s.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Sandeep Sharma, Advocate
for the petitioner.

Mr. D.S.Nalwa, Addl.A.G., Haryana.

RITU BAHRI, J. (Oral).

CM-3003-CWP-2020

Application for placing on record Annexures P-9 and P-10 is
allowed and the same is taken on record.

CWP-6191-2019

By this petition, the petitioner is seeking setting aside transfer
order dated 12.02.2019 (Annexure P-5) qua her.

The petitioner was transferred from Faridabad to Karnal vide
order dated 12.02.2019 (Annexure P-5). However the operation of order
dated 12.02.2019 (Annexure P-5) was stayed qua the petitioner on
07.03.2019. She has been continuing in Faridabad from 04.05.2017 till date.
As per the condition (i) of transfer policy dated 06.10.2004 (Annexure P-1)
the employee cannot be transferred before completion of two years at the
current place of posting. The petitioner has now completed almost 2 years
and 10 months in Faridabad.

Learned counsel for the petitioner states that husband of the petitioner is posted in Delhi. He has further placed on record policy dated 07.04.1989 (Annexure P-9) and 27.11.2019 (Annexure P-10) whereby special relaxation has been given for couple case.

This petition is being disposed of by giving direction to the respondents to allow the petitioner to be posted in Faridabad till 01.04.2020 keeping in view policy dated 07.04.1989 (Annexure P-9) which has been referred in policy dated 27.11.2019 (Annexure P-10) and further consider the case of the petitioner for adjustment after 01.04.2020.

(RITU BAHRI)
JUDGE

25.02.2020
Divyanshi

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No