

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

CWP-6632-2020

Date of Decision: March 13, 2020

Jai Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ram Niwas Sharma, Advocate,
for the petitioner.

Mr. Harish Nain, AAG, Haryana.

RITU BAHRI, J. (ORAL)

Prayer in this petition, filed under Article 226 of the Constitution, is to direct respondent No. 3 to allow the petitioner to join his duties at Haryana Roadways Hisar Depot, in pursuance of the transfer order dated 30.12.2019 (Annexure P-1), vide which he was transferred from Jind Depot to Hisar Depot, and the petitioner stood relieved by the General Manager, Haryana Roadways, Jind, vide order dated 10.01.2020 (P-2). However, respondent No. 3 has not permitted the petitioner to join his duties at Hisar Depot. Further, prayer has been made for releasing the salary of the petitioner for the intervening period, i.e. for the months of January and February, 2020.

Petitioner, who is working as a Head Welder, was transferred from Jind to Hisar, on mutual basis with one Subhash Chander, Head Welder, Haryana Roadways, Hisar Depot, vide transfer order dated 30.12.2019 (Annexure P-1). After having relieved from Jind on 15.01.2020 (Annexure P-3), petitioner reported himself for duty at Hisar on 16.01.2020. However, respondent No. 3 did not permit him to join the duty and sent a letter dated 23.01.2020 (Annexure P-4) to respondent No. 4 intimating that since no official in the name of Subhash Chander is posted

in Hisar Depot, with whom the petitioner was ordered to be transferred on mutual basis, therefore, he cannot be allowed to join in Hisar Depot. Accordingly, the petitioner was sent back to Jind Depot. Eventually, another order dated 26.02.2020 (Annexure P-7), has been passed by respondent No. 2, directing the petitioner to join at Haryana Roadways, Jind Depot, immediately. The petitioner accordingly joined back at Jind on 28.02.2020 (Annexure P-8).

Learned counsel for the petitioner submits that at this stage the petitioner has no grievance as regards his joining back at Haryana Roadways, Jind Depot, is concerned. However, for no fault of the petitioner, no salary has been paid to him for the interregnum period, i.e. when he was relieved from Jind Depot to join duty at Hisar Depot, and when he again joined back his duties at Jind Depot, in compliance with the order dated 26.02.2020 (Annexure P-7), passed by respondent No. 2.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana, present in the Court, accepts notice on behalf of the respondents.

Having heard learned counsel for the parties and without expressing any opinion on merits, this petition is disposed of with liberty to the petitioner to make a representation to the competent authority stating his grievance, within two weeks of issuance of a certified copy of this order. If any such representation is received, the same shall be looked into and decided by passing a speaking order, in accordance with law, within two weeks thereafter.

(RITU BAHRI)
JUDGE

March 13, 2020

Pk Kapoor

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO