

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.8182 of 2020
DECIDED ON : 17.06.2020

Amandeep Kaur

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present : Mr. R.K. Arora, Advocate, for the petitioner.

GIRISH AGNIHOTRI, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Amandeep Kaur has filed the present writ petition *inter alia* with a prayer to direct the respondents to reconsider and cancel the transfer of the petitioner vide order dated 06.09.2019 (Annexure P-15), in view of the subsequent instructions dated 18.05.2020 (Annexure P-21), issued by the department.

Learned counsel for the petitioner in view of para 3 of the said instructions, submit that on reconsideration, it has been decided that if the teacher/employee transferred on administrative grounds, proves herself innocent or produces the documents in this regard, then she will be given relaxation of the condition of three years.

Learned counsel further submits that once this is done, the Competent Authority would consider the order of cancellation. Learned counsel however submits that after the aforesaid instructions on 22.05.2020, the petitioner had submitted a representation in this regard. He then submits

that there is an exercise which is being undertaken by the department for general transfers now. Therefore, he insist for an interim prayer to stay the filling up of post in question.

Notice of motion.

On the asking of the Court, Ms. Lavanya Paul, AAG, Punjab, accepts notice on behalf of the State-respondent.

Without commenting on the merits of the case, this Court deems it appropriate to direct the respondent No.1 i.e. Secretary, Government of Punjab, Department of School Education, Punjab Mini Secretariat, to look into the representation of the petitioner dated 22.05.2020 and decide the same by following such procedure as it deems appropriate as expeditiously as possible. It is further directed that the decision on the said representation be made before filling up the post of Lecturer in Mathematics at Government Senior Secondary School (Girls), Gill, Ludhiana.

Disposed of.

(GIRISH AGNIHOTRI)
JUDGE

17.06.2020

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Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO