

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-12407-2020 (O&M)

Date of Decision:- 24.8.2020

Rakesh Kumar and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jasbir Mor, Advocate, for the petitioners.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

The petitioners, who are posted as Clerks in Education Department, State of Haryana challenge orders dated 14.8.2020 (Annexures P-13 and P-14), passed by office of Director, Secondary Education, Haryana, Panchkula, whereby they have been ordered to be transferred from Sonipat to Mewat. Their specific transfers find mentioned at Sr. Nos.867 and 1518 respectively in the impugned orders.

I have heard the learned counsel for the petitioners.

The transfers have been made in accordance with the online transfer policy dated 13.2.2020 (Annexure P-3). However, this Court finds that the policy itself provides in Clause No.6 (vi), that an aggrieved transferred employee can represent to the department within 15 days from

the issuance of such order. Since the learned counsel for the petitioners has informed that they had in fact moved such representations Annexures P-15 to P-18, the respondents are directed that in case any such representations have been received, the same be decided in accordance with the prevalent policy by taking into account the amendments as well as have been made in the policy vide letter dated 7.8.2020 (Annexure P-5). However, in case no such representations have been received, the petitioners would be at liberty to move fresh representations within the prescribed period as has been provided in the policy itself which shall be duly examined by the respondent concerned in accordance with the policy, expeditiously.

The petition stands disposed of accordingly.

August 24, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No