

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

**CWP-12901-2020 (O&M)
Date of decision:27.08.2020**

Jile Singh and others	...Petitioners
Versus	
State of Haryana and another	..Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Lekh Raj Nandal, Advocate for the petitioners.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The petitioners have invoked the writ jurisdiction of this Court for issuance of certiorari for quashing the inaction of the respondent replacing the extension lecturers by the regular extension lecturers by way of transfer being contrary to the settled proposition of law in case of **Hargurpratap Singh vs. State of Punjab and others, 2007 (3) SCC 292** by the Apex Court and also for issuance of mandamus directing the respondents to allow them to work on the post of Extension Lecturer/Resource Person till the time the said posts are not filled up through regular selection/appointment.

It is averred in the writ petition that the State of Haryana has issued online transfer notice dated 4.8.2020 (Annexure P-1) of the Assistant/Associate Professors for the current session and all the Assistant/Associate Professors interested in transfer shall apply to their preferred station. The apprehension of the petitioners is that the interested employees will choose the station where the petitioners are posted and they will be relieved therefrom.

It is further submitted that such action of the respondent has already been restricted by a Co-ordinate Bench of this Court in CWP No. 779 of 2020, Sharmila and others vs. State of Haryana and others, decided on 14.01.2020 (Annexure P-2). Even further reference has been made to CWP No. 9300 of 2015, Ms. Menka and others vs. State of Haryana and others, which was allowed by this Court on 05.05.2016 while relying upon the judgment of Hon'ble the Supreme Court in a case of Hargurpratap Singh vs. State of Punjab and others, 2007(13) SCC 292 (P-4).

Notice of motion.

Mr. S.S. Pannu, DAG, Haryana, accepts notice on behalf of the State. However, he submits that the respondents shall consider the claim of the petitioners in consonance with the case law so cited, if representation to that effect is made by the petitioners.

The offer so made by learned State Counsel is just and reasonable, which is acceptable to learned counsel for the petitioners.

Considering the same, the petitioners are hereby directed to make a detailed representation about their grievance of having apprehension of transfer in view of On Line Transfer Policy, 2020 dated 4.8.2020 (Annexure P-1) within a period of one week from today onwards. On receipt of the said representation, respondent No.2 shall pass a speaking order to redress the grievance of the petitioners, in accordance with law, as well as law laid down in the judgments, so referred, in the writ petition, within a period of 15 days thereafter.

Till then respondents are directed not to take any further action on the basis of On Line Transfer Policy, 2020 dated 04.08.2020.

Accordingly, the writ petition stands disposed of.

27.08.2020
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**(ARCHANA PURI)
JUDGE**

Whether speaking / reasoned? Yes / No
Whether reportable? Yes / No