

135-3

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13043 of 2020 (O&M)

Date of decision: 21.09.2020

Satya Dev

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Y.D. Kaushik, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this writ petition is for quashing the order dated 17.08.2020 vide which the petitioner has been transferred from Faridabad Depot to Fatehabad Depot in violation of the online transfer policy (Annexure P2).

The only averment raised in the petition is that the transfer of the petitioner is not made as per the policy notified by the State of Haryana.

A perusal of the policy show that under Clause 8(xiv), a remedy is provided to an aggrieved employee to make a representation to the competent authority. Clause 8(xiv) of the Policy, reads as under:-

“8. Procedure to be adopted:

(i) to (xiii) XXXXXXXXXXXXXXXXXX

(xiv) Within 15 days of issuance of orders, the employees aggrieved with the transfer process can represent to the department after joining at new place of posting, on a grievance redressal forum to be provided by

CASE HEARD THROUGH VIDEO CONFERENCING

the department in this behalf. Their representation will be considered in accordance with the policy and appropriate decision will be conveyed to them as deemed fit.”

Counsel for the State has referred to certain orders passed by this Court in CWP Nos.13907, 13602 and 14207 of 2020, wherein this Court in similar circumstances has directed the petitioner(s) to avail the remedy available under the policy itself.

Accordingly, this petition is disposed of with a direction to the petitioner to make a representation to the competent authority and the same will be decided expeditiously within a period 01 month from the date of filing of the representation, after affording an opportunity of hearing to the petitioner.

(ARVIND SINGH SANGWAN)
JUDGE

21.09.2020
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No