

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

CWP-14243-2020 (O&M)

Date of decision : 11.09.2020

Ram Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Pannu, Advocate for the petitioner.

Mr. Sanjay Mittal, Addl. A.G. Haryana.

ANIL KSHETARPAL, J. (ORAL)

The petitioner has filed the present writ petition under Article 226 of the Constitution of India, for issuance of a writ in the nature of certiorari, for quashing of transfer order of services of the petitioner dated 17.08.2020, from Jind Depot to Rohtak Depot.

Learned counsel for the petitioner submits that the petitioner has already joined at the new place of posting. It is claimed that the transfer is in violation of Online Transfer Policy (Annexure P-4).

On the other hand, learned counsel appearing on behalf of the State, has submitted that as per the policy, there is a provision for submitting a representation to the Grievance Redressal Forum to be constituted by the Department. He submits that if the petitioner submits a representation, the same shall be considered. Clause 8(xiv) of the policy, reads as under:-

“8(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 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.”

Learned counsel for the petitioner submits that he would file a representation to the Director General, Transport Department, in this regard.

Learned counsel for the State has also drawn the attention of the Court to an order passed in CWP-13602-2020, decided on 04.09.2020 relegating the petitioners to the remedy before the Grievance Redressal Forum.

Keeping in view the aforesaid facts, the writ petition is disposed of, with a direction to the petitioner to file a representation for redressal of his grievances with respondent No.2, within 5 days. If such representation is submitted, the Grievance Redressal Forum shall decide the same within 15 days, thereafter.

With the aforesaid observations, the writ petition is disposed of.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-said order.

11.09.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No