

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

CWP-14241-2020 (O&M)
Date of decision : 11.09.2020

Ratan Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mazlish Khan, Advocate for the petitioner.

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

ANIL KSHETARPAL, J. (ORAL)

The petitioner has filed this writ petition under Article 226/227 of the Constitution of India, for issuance of a writ in the nature of certiorari, for the quashing of transfer order dated 31.08.2020, qua him.

Learned counsel for the petitioner submits that the petitioner will attain the age of superannuation on 31.08.2021 and therefore, in terms of the policy, he could not be transferred.

On the other hand, learned counsel for the State has drawn the attention of the Court to Clause 6(vi) of the policy dated 13.02.2020 and submits that the petitioner can submit a representation to the Department after joining at the new place of posting and his grievance would be examined and decided. He submits that the Grievance Redressal Forum has been constituted for this purpose.

Clause 6(vi) of the policy is extracted as under:-

“6(vi) Within 15 days of issuance of orders, an employee aggrieved with the transfer process can represent to the department after joining all the new place of posting, on a grievance redressal forum to be provided by the department for this purpose. His representation shall be considered in accordance with the policy and appropriate decision shall be conveyed to him as deemed fit.”

Learned counsel for the State has also drawn the attention of the Court to the order passed by the Coordinate Bench in CWP-13602-2020, decided on 04.09.2020, in this regard.

Learned counsel for the petitioner submits that the petitioner has already submitted a representation to the Deputy Director of Agriculture on 03.09.2020 (Annexure P-6).

Keeping in view the aforesaid facts, the present writ petition is disposed of by directing the respondents to examine the grievance of the petitioner and decide his representation (Annexure P-6), within a period of 15 days.

With the afore-said 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