

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

118

CWP No.14426 of 2020

Decided on:15.09.2020

Pankaj

... Petitioner

Versus

The State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Saurabh Dalal, Advocate
for the petitioner.

Mr. Shivendra Swaroop, AAG, Haryana.

(The proceedings are being conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for quashing of the transfer order dated 14.08.2019 (Annexure P-1). The petitioner has been transferred from Government High School Bhaini Bhairon (2793), Meham, Rohtak to Government Girls Senior Secondary School Dinod (353), Bhiwani, and in one of the 3159 employees, so transferred. Counsel for the petitioner submits that representation dated 25.08.2020 (Annexure P-4), has been filed with respondent No.2, bringing out the grounds for cancellation of transfer order and retention in Rohtak district. Various grounds including that he has 100% disabled child have been taken in the same.

Notice of motion.

Mr. Shivendra Swaroop, AAG, Haryana, accepts notice on behalf of the State.

Counsel for the State submits that there is no mala fide in the

transfer order and transfer order is not liable to be interfered with, as it is due to administrative exigencies.

It is settled principle that this Court would not interfere in the transfer orders till the mala fides or violation of statutory Rules of policy are made out. Since the petitioner has already filed representation dated 25.08.2020 (Annexure P-4) pointing out the difficulties that he would face on account of his transfer and the representation can be acted upon by respondent No.2 within a period of two weeks.

It is open to the petitioner to attach the necessary documents in support of this representation before the said respondent expeditiously.

Accordingly, let the said respondent take a decision on the said representation within a period of 3 weeks from the receipt of the supporting documents.

Writ petition stands disposed of in the above terms.

(G.S. SANDHAWALIA)
JUDGE

15.09.2020
Parveen

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No