

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14614-2020

Date of Decision : 17.09.2020

Dharmender and others

...Petitioners

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

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

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Challenge in the writ petition is to the transfer of the petitioners vide Annexure P/1 dated 14.08.2020, from Jhajjar to Mewat / Gurugram.
3. Learned counsel contends that although pursuant to the impugned order, the petitioners joined at their new place of posting but they had also submitted representation Annexure P/4 (colly) taking up the plea that their transfer was contrary to the Transfer Policy Annexure P/2, inter alia on the ground that the same was mid-session etc but the representation has not been decided.
4. Notice of motion.
5. Mr Vivek Chauhan, Addl. AG, Haryana, accepts notice on behalf of the respondents and states that as per Clause 6 (vii) of the Transfer Policy, Annexure P/2, the petitioners are entitled to submit a representation to the concerned authorities on joining at the new place of posting, and since a representation is claimed to have been filed, the writ petition can be

6. I have considered the submission of learned counsel for the parties.
7. The petitioners have already submitted representation Annexure P/4 (collectively) qua their grievance to the competent authority in terms of Clause 6(vii) of the Transfer Policy, Annexure P/2.
8. Accordingly, without commenting upon the merits of the controversy or the entitlement of the petitioners to the relief claimed, the writ petition is disposed of by directing the competent authority to decide the representation Annexure P/4 (collectively) in terms of Clause 6 (vii) of the Transfer Policy, Annexure P/2, within ten days of date of receipt of certified copy of order after taking into account all aspects of the matter.
9. Writ petition disposed of in the aforementioned terms.

(B.S. Walia)
Judge

September 17, 2020
'PS-Rajesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>