

In the High Court of Punjab and Haryana at Chandigarh

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CWP-16739-2020

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Date of Decision:12.10.2020**Rajpal Singh****....Petitioner****Vs.****State of Haryana and others****.....Respondents**

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Coram: Hon'ble Mr. Justice Ashok Kumar Verma

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Present: Mr. M.D. Jangra, Advocate for the petitioner.**Mr. Sandeep Singh Mann, Additional Advocate General,
Haryana for the respondents.**

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Ashok Kumar Verma, J.:

The case has been taken up by way of Video Conference as per instructions in view of COVID-19 pandemic.

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing and setting aside the impugned order dated 01.10.2020 (Annexure-P.1) and impugned relieving order dated 05.10.2020 (Annexure-P.2) passed by the respondents in arbitrary, mala fide and illegal manner by transferring the petitioner from Narnaul to Nuh and further directing the respondents not to disturb him from Narnaul and assign him the duties and responsibility of his parent cadre i.e. Executive Clerical Cadre (ECC) Account Branch as per policy on the subject.

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Notice of motion.

Mr. Sandeep Singh Mann, learned Additional Advocate General, Haryana accepts notice on behalf of the respondents.

I have heard learned counsel for the parties and have gone through the record.

Learned counsel for the petitioner submits that the petitioner has served legal notice dated 05.10.2020 (Annexure-P.6) upon the respondents and he will be satisfied if the same be considered as petitioner's representation and decided within a short span.

The writ petition is disposed of with a direction to respondent No.1 to 3 to consider and decide the legal notice dated 05.10.2020 (Annexure-P.6) treating it as representation of the petitioner in accordance with law within two weeks from the receipt of certified copy of this order by passing a speaking order and by giving him opportunity of hearing, if necessary.

However, in the event, the petitioner has not been relieved from duty, then he may be allowed to continue to serve at Narnaul till the decision on his representation (Annexure-P.6).

October 12, 2020.

(Ashok Kumar Verma)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes/No
	Whether reportable:	Yes/No