

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

**CWP No. 18832 of 2020
Date of decision: 06.11.2020**

Jaibir Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vivek Singla, Advocate
for the petitioner.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in the present writ petition is for issuance of a writ in the nature of Certiorari quashing the impugned order dated 04.11.2020 (Annexure P-4), whereby the petitioner has been transferred from Haryana Roadways, Ambala to Haryana Roadways, Palwal.

Notice of motion.

Mr. Sumit Jain, Addl. A.G., Haryana, who is also appearing through video conferencing, accepts notice on behalf of respondents-State.

The only averment raised in the petition is that the transfer of the petitioner is not made as per the policy notified by the State of Haryana.

A perusal of the policy shows that under Clause 8(xiv), a remedy is provided to an aggrieved employee to make a representation to the competent authority. Clause 8(xiv) of the Policy, reads as under:-

“8. Procedure to be adopted:

(i) to (xiii) XXXX XXXX XXXX XXXX

(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 State has referred to certain orders passed by this Court in CWP Nos. 13907, 13602 and 14207 of 2020, wherein this Court in similar circumstances has directed the petitioner(s) to avail the remedy available under the policy itself.

Accordingly, this petition is disposed of with a direction to the petitioner to make a representation to the competent authority within a period of two weeks from today and the authorities concerned shall decide the same expeditiously within a period two weeks thereafter, after affording an opportunity of hearing to the petitioner.

06.11.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No