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

CWP No.20365 of 2020  
Date of decision: 27.11.2020

**Naresh Kumar Ahlawat**

**..... Petitioner (s)**

**V/s.**

**State of Haryana and others**

**..... Respondent (s)**

**CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR**

Present: Mr. R.N. Lohan, Advocate, for the petitioner.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

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**Sanjay Kumar, J. (Oral)**

The petitioner is an Excise and Taxation Officer in the service of the State of Haryana. He is aggrieved by the order dated 19.11.2020 passed by the Principal Secretary to the Government, Excise and Taxation Department, Haryana, the first respondent herein, whereby he was transferred from Jind to Jhajjar.

It is the case of the petitioner that his wife was diagnosed with Oligostrocytoma (Brain Cancer) in the year 2017 and on account of this fact, he was also granted relaxation with regard to posting in his home district, Jind, at that time. He claimed that there was no one to take care of his wife and asserted that he ought not to have been transferred to Jhajjar contrary to the Policy dated 07.04.1989, whereby the Government of

Haryana directed that cases involving hardships, i.e., serious illness etc., should be considered sympathetically while effecting transfers and posting. It is on this basis that he assails his transfer.

Mr. R.N. Lohan, learned counsel for the petitioner, would contend that the Government's policy supports his plea that he should be retained at Jind owing to the special circumstances obtaining in his case.

However, this Court is of the opinion that it would be for the authorities concerned to consider the petitioner's claim in the light of the policy instructions and take appropriate action, if warranted, in the first instance. As the petitioner seems to have approached this Court without submitting any representation to the first respondent ventilating his grievance, it would suffice at this stage if the present petition is considered to be his representation and the averments herein are taken note of by the Principal Secretary, Excise and Taxation Department, Government of Haryana, while taking a decision in the light of the policy instructions.

Needless to state, the plea of the petitioner would have to be considered sympathetically and in a humane manner. The first respondent shall take a decision in this regard expeditiously and in any event, not later than 15 days from the date of receipt of a copy of this order.

No order as to costs.

**(SANJAY KUMAR)**  
**JUDGE**

27.11.2020

rakesh

whether speaking/non speaking

: Yes/no

whether reportable/non reportable

: Yes/no