

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP No.20868 of 2020
Date of decision: 07.12.2020

Manisha Yadav and ors.

.....Petitioners

versus

State of Haryana and anr.

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Sumit Sangwan, Advocate for the petitioners.
(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court).

GIRISH AGNIHOTRI, J. (Oral)

Petitioners – Manisha Yadav and four others have jointly filed the present writ petition *inter alia* with a prayer to quash the transfer order dated 25.11.2020 (Annexure P-1) qua the petitioners, with a further prayer to direct the respondents to transfer the petitioners in accordance with policy and letters issued by the office of Chief Secretary including letter dated 18.11.2020(Annexure P-4) on the stations filled by them.

Learned counsel for the petitioners makes reference to the circular dated 26.07.2019 (Annexure P-2) on the subject of 'Preparation of Online Transfer Policy'. He then makes reference to Policy dated 12.03.2020 (Annexure P-6) and submit that as per this Policy, 312 persons were ordered to be transferred including the petitioners vide order dated 08.05.2020 (Annexure P-7). His contention, therefore, is that inspite this, now vide impugned order dated 25.11.2020 (Annexure P-1), the petitioners are again being transferred. He further relies on order dated 28.08.2020 passed by this Court in *CWP No.12974 of 2020* titled as '*Suman Lata Vs. State of Haryana*' (Annexure P-8).

Notice of motion.

On the asking of the Court, Mr. Sumit Gupta, Addl. A.G., Haryana, who is appearing through video conferencing, accepts notice on behalf of respondent-State. He, however, by making reference to para 12 of the Policy dated 13.02.2020 (Annexure P-5), para 7 of the circular dated 12.03.2020 (Annexure P-6), regarding Power of Relaxation as well as impugned order dated 25.11.2020(Annexure P-1), submits that in fact the Administrative Secretary with the prior approval of the Chief Minister, Haryana, is competent to transfer any Supervisor to any place in relaxation of any or all the provisions. He further submits that transfer of 20 persons including the petitioners vide order dated 25.11.2020 (Annexure P-1) was on account of requirement of manpower at the respective stations.

Learned counsel for the petitioners submits that the present writ petition may be disposed of with permission to the petitioners to submit a detailed representation, relying upon the aforesaid judgment.

In view of the above and without commenting on the merits of the case, the present petition is disposed of with a direction to the Competent Authority, to take a decision on the representation (to be submitted within two days from today) so submitted by the petitioners, in accordance with law, as expeditiously as possible, preferably within one week from today, by passing a speaking order from the date of receipt of certified copy of this order.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

07.12.2020

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