

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-21896-2020.

Date of Decision: December 17, 2020

RAMESH KUMAR

..... PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS

..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sanjay Verma, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG., Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

The petitioner seeks quashing of order dated 14.12.2020 (Annexure P-1), whereby the petitioner, who is working as Superintendent at Government ITI, Narwana, has been transferred from Government ITI Narwana, GITI Narwana, District Jind to Government ITI Behal, District Bhiwani.

Learned counsel for the petitioner submits that transfer order dated 14.12.2020 is in violation of the transfer policy dated 20.03.2020 (Annexure P-2). It is further submitted that the petitioner is facing peculiarly harsh circumstances inasmuch as his wife is suffering from a mental disorder and his 83 years old father is a heart patient and there is no other responsible person to look-after the said family members.

Learned counsel for the State, to whom an advance copy of the petition has been supplied points out that as per Clause 9(iii) of the transfer policy, an aggrieved employee can represent to the competent authority in respect to his transfer and in case, such a representation is submitted by the petitioner, the matter would be considered by the authorities in an expeditious manner.

I have learned counsel for the parties and have gone through the file.

Keeping in view the facts and circumstances as well as specific provision in the shape of Clause 9(iii) of the Transfer Policy dated 20.03.2020, this writ petition, at this stage, is disposed of with a direction to the competent authority to consider the present petition as a representation on behalf of the petitioner and decide the matter within one week from today without insistence upon the petitioner joining at the new place of posting. The petitioner is at liberty to present any other document in support of his prayer before the competent authority within two days from today. It is clarified that there is no expression of opinion on the merits of the matter.

Petition is disposed of accordingly.

17.12.2020

Sunil

**(LISA GILL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No