

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

CWP No.7698 of 2017

Date of decision: 31.01.2020

Bikramjeet Tiwari

....Petitioner

Versus

Deputy Chief Executive Office and others

...Respondents

Coram: Hon'ble Mr. Justice B.S. Walia

Present: Mr. Jasvir Singh Dhaliwal, Advocate for the petitioner.

Mr. Gautam Diwan, Advocate for respondent Nos.1 and 2.

Mr. Harish Rathee, Sr. DAG, Haryana.

Mr. R.K. Sharma, Advocate for respondent No.7.

B.S. Walia, J. (Oral)

Learned counsel for respondent No.7 states that the petitioner was initially appointed at Panipat whereafter on account of exigencies of service was transferred to Hoshiarpur, where he has served for 35 years, however, due to lack of work and the impending closure of the sale centre at Hoshiarpur, decision was taken to post the petitioner to Panipat and that in the circumstances, the petitioner has no unfettered right to continue at Hoshiarpur despite there being no availability of work at Hoshiarpur and a decision having been taken to close the sale centre at Hoshiarpur.

2. Faced with the aforementioned submission, learned counsel for the petitioner prays for permission to withdraw the writ petition with liberty to file a representation for being allowed to continue at the sale centre, Khadi Asharam

at Hoshiarpur till such time that the same is not closed down and respondent No.7 be directed to consider and decide the representation sympathetically by taking into account that the petitioner is a Class-IV employee.

3. Learned counsel for respondent No.7 states that he has no objection to the limited prayer of the petitioner.

4. In the light of the position as noted above, the writ petition is disposed of by permitting the petitioner to submit a comprehensive representation to respondent No.7 within ten days from today. On receipt of representation, respondent No.7 shall consider and decide the same sympathetically in accordance with law as expeditiously as possible. However, till such time that decision is not taken on the representation, the petitioner shall be allowed to continue at Hoshiarpur. Further place of posting would be subject to the decision taken by respondent No.7 on the representation to be submitted by the petitioner.

5. Writ petition disposed of in the aforementioned terms.

January 31, 2020
ps

(B.S. WALIA)
JUDGE

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