

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

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CWP-1567-2020

Date of decision: 19.02.2021

TARANVIR KAUR AND ORS

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CWP-7553-2020

RAVINDER KAUR AND ORS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. KK Thakur, Advocate for the petitioners (CWP-1567-2020)

Mr. HC Arora, Advocate for the petitioners (CWP-7553-2020)

Mr. Nikhil Chopra, Addl. AG, Punjab.

Ms. Anu Chatrath, Sr. Addl. AG, Punjab with
Mr. Nitin Arora, Advocate
for respondent-State (CWP-7553-2020).

Mr. Gagandeep Singh, Advocate
for respondents No.2 and 3 (CWP-1567-2020).

ANIL KSHETARPAL, J. (Oral)

By this order CWP No.1567 and 7553 of 2020 shall stand disposed of. Counsels appearing for the parties are ad idem that these petitions can be conveniently disposed of by a common order.

The petitioners have assailed the correctness of orders of their posting (transfer orders) as well as the rationalization policy dated 14.01.2020.

On 27.11.2020, the following order was passed:-

CM-7121- CWP-2020

Having considered the submissions made by counsel
for the parties and keeping in view the Circular issued by the

Department of Personnel (Government of Punjab) dated 12.09.2020, according to which no government employee can be transferred as the same has been barred upto 31.03.2021, interim order passed in favour of the petitioners and/or similarly placed employees shall continue if the requirement as laid down in para 2 of the said Circular has not been fulfilled. It is clarified that in case the applicant/respondent still intend to proceed with the transfer of the petitioners or similarly placed employees, the same can be done after fulfillment of the condition of the Para 2 of the Circular dated 12.09.2020. With these orders/clarification, the application stands disposed of.

CWP-7553-2020

It has been brought to the notice of this Court that similar matters are listed for hearing on 10.02.2021. Adjourned to 10.02.2021. To be listed along with CWP No.1567 of 2020 titled as Taranvir Kaur and others vs. State of Punjab and others.

Thereafter, in a miscellaneous application, the following order was passed on 14.12.2020:-

Learned counsel for the parties have agreed that the petitioners shall submit a representation which shall be considered sympathetically by the respondents.

Application is disposed of.

List the main case on 10.02.2021, the date already fixed.

Ms. Anu Chatrath, learned Senior Additional AG, Punjab, has filed an affidavit of the Deputy State Project Director, Samarkh Shiksha Abhiyan, which is taken on record. She has stated that respondent No.2 had invited options vide public notice dated 07.01.2021. The petitioners have already submitted their options which are under consideration. She further states that the transfer before 31.03.2021 can only be given effect after getting prior approval of the Chief Minister as per para 2 of the circular dated 12.09.2020. She submits that the petitioners will be transferred, only

if such approval is granted. However, after 31.03.2021, the revised options given by the petitioners shall be considered. In view thereof, learned counsels state that the writ petitions may be disposed of at this stage with liberty to the petitioners to file fresh one if any grievance subsists.

Ordered accordingly.

19.02.2021

(ANIL KSHETARPAL)
JUDGE

ashok

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No