

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

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**CWP No.9006 of 2021
Decided on : 27.04.2021**

Naib Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Sunil K. Nehra, Advocate for the petitioner.

(The proceedings have been conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks quashing of the impugned order dated 12.04.2021 (Annexure P-3), whereby he has been transferred from Karnal to Narnaul against respondent No.4. Challenge to the said transfer is on the ground of health of the petitioner who is stated to have undergone a bypass surgery in December, 2018, as per Annexure P-4.

Counsel submits that on an earlier occasion keeping in view his health his transfer was cancelled to Ambala on 04.01.2021 (Annexure P-1).

Notice of motion.

Mr. RKS Brar, Addl. AG, Haryana accepts notice on behalf of the respondents. He has placed on record the order dated 27.04.2021 whereby respondent No.4 has already joined at Karnal. It is further pointed out that the petitioner has been working at Karnal since 04.08.2015 from the date of his promotion, which is admitted in the writ petition also.

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Keeping in view the facts and circumstances, this Court is of the opinion that since this Court does not readily interfere in the arena of transfer orders unless there is any malafides or violation of any statutory policy, the petitioner can approach the authorities for redressal of his grievances. On the earlier occasion the petitioner had given his representation and got the necessary relief. It is always open to the petitioner to seek recourse of his remedy before the authorities in the same manner.

Counsel submits that keeping in view the family circumstances of the petitioner he be protected as such for a period of one week.

Accordingly, keeping in view the above, if the petitioner makes a representation to the respondents within next two days by putting forth his difficulties regarding the transfer effected, it is open to them to consider his case sympathetically. However, no action will be taken if the petitioner does not join at Narnaul for a period of one week, thereafter.

The writ petition stands disposed of with the abovesaid observations.

April 27, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No