

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

Sr. No.113

CWP No.9528 of 2021

DATE OF DECISION: May 07, 2021

JYOTI AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vikram Sheoran, Advocate, for the petitioners.

SUDHIR MITTAL, J. (ORAL)

The petitioners were appointed as JBT Teachers in the year 2017. The appointment process was initiated vide advertisement No.2/2012 dated 08.11.2012.

Learned counsel for the petitioners submits that the appointment of the petitioners was temporary, subject to the outcome of the pending litigation. Now, vide impugned order dated 30.04.2021 (Annexure P-7) they are being transferred temporarily as part of a transfer drive. The service of the petitioners is governed by the Haryana Primary School Education (Group-C) District Cadre Service Rules, 2012. The nomenclature itself makes it clear that the post is a District Cadre Post and thus, the petitioners cannot be transferred outside their home districts which were allotted to them at the time of initial appointment.

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A perusal of the 2012 Rules referred to by learned counsel for the petitioners shows that a member of the service is liable to serve at any place within or outside the State of Haryana. This condition has been imposed by Rule 12 of the aforementioned Rules and thus, the submission of learned counsel for the petitioners that the petitioners cannot be transferred outside the district in which they have been appointed, is not sustainable.

The writ petition has no merit and is dismissed.

May 07, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No