

212/a
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12552-2020

Date of decision: 18.01.2021

Idu **.....Petitioner.**

vs.

The State of Haryana and others **.....Respondents.**

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Gaurav Gupta, Advocate, for the petitioner.

Mr. Minderjeet Yadav, Deputy Advocate
General, Haryana.

.....

Sanjay Kumar, J. (ORAL)

The petitioner, a driver in the Transport Department of the State of Haryana, assails the transfer order dated 17.08.2020 whereby he was transferred from Faridabad Depot to Rohtak Depot. His case is that the said transfer is in violation of the Online Transfer Policy, which requires sympathetic consideration of cases such as the petitioner's, as his son is 100% physically handicapped.

By order dated 24.08.2020, this Court stayed the operation and effect of the impugned transfer order, insofar as it pertained to the petitioner.

It is however relevant to note that Clause 8 (xiv) of the transfer policy permits an employee aggrieved by his/her transfer to make a representation within 15 days of the issuance of the order and all such representations are to be considered by a Grievance Redressal Forum, in accordance with the policy, and appropriate decisions are to be taken thereon, as deemed fit.

In the light of the effective remedy provided to the aggrieved employees under the policy itself, it is for the petitioner to first approach the duly constituted Grievance Redressal Forum and ventilate his objections to the transfer, affected under the impugned order dated 17.08.2020.

It appears that this Court disposed of *CWP No.13602 of 2020*, titled '**Ram Chander V/s. State of Haryana and others**', vide order dated 04.09.2020, on similar lines.

In that view of the matter, the writ petition is disposed of permitting the petitioner to submit a representation to the duly constituted Grievance Redressal Forum, ventilating his grievance, within one week from today. The said representation shall be considered on merits and in accordance with the policy, within one week thereafter. Till the consideration of such representation and communication of the decision taken thereon, the impugned transfer order dated 17.08.2020, insofar as it pertains to the petitioner, shall remain in abeyance.

No order as to costs.

(SANJAY KUMAR)
JUDGE

18.01.2021

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no