

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

CWP-18099-2021
Date of Decision:13.09.2021

YOGESH KUMAR

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Deepak Arora, Advocate
 for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

(Presence marked through Video Conference)

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *mandamus* directing the respondents to consider his case, in view of transfer policy/administrative guidelines issued by the Haryana Government (Annexure P-13).

2. Learned counsel for the petitioner submits that the petitioner's wife is posted at Fatehabad, whereas the petitioner is posted at Palwal. The distance between Fatehabad and Palwal is around 300 kms. Learned counsel for the petitioner, while relying upon the policy/guidelines issued by the Haryana Government (Annexure P-13), submits that when the husband and wife, both are in Haryana Government Service, they have to be generally be posted at same or nearby stations as far as possible. Notwithsanding, the petitioner and his wife have not been given family posting far too long, resulting in their not being able to have a family life.

2. Learned counsel for the petitioner submits that qua his aforesaid grievance, petitioner submitted various representations dated 09.11.2020, 09.11.2020, 23.11.2020, 08.09.2021 and 10.08.2021 (Annexures P-7, P-8, P-9, P-10 and P-15, respectively, but to no avail. Hence, the instant petition.

3. Learned State counsel, on advance service, joins proceedings and states that competent authority shall take appropriate decision on the aforesaid pending representations.

4. At this stage, learned counsel for the petitioner also agrees that let a final decision is taken, either way, by the competent authority on representation dated 10.08.2021 (Annexure P-15), giving reasons thereof.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per representation dated 10.08.2021 (Annexure P-15) and also by keeping in view the contention raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

7. Let the needful be done as expeditiously as possible but not later than three months. If a favorable order is passed, benefit thereof be accorded within 30 days thereafter.

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

13.09.2021
gurpreet

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