

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

203+204+206

**CM-10263-CWP-2021 in/and
CWP-25508-2019 (O&M)**

Puran Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

(2)

**CM-10278-CWP-2021 in/and
CWP-25507-2019 (O&M)**

Ajay Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

(3)

**CM-10351-CWP-2021 in/and
CWP-26410-2019 (O&M)**

Deepak

... Petitioner

Versus

State of Haryana and others

... Respondents

Decided on : 06.08.2021

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

Present: Mr. Nitin Bansal, Advocate
for the petitioner (s).

Mr. Harish Kumar Nain, AAG, Haryana.

(The proceedings are being conducted through video
conferencing, as per instructions.)

CM-10263-CWP-2021 in/and CWP-25508-2019 (O&M)
CM-10278-CWP-2021 in/and CWP-25507-2019 (O&M)
CM-10351-CWP-2021 in/and CWP-26410-2019 (O&M)

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G.S. Sandhawalia, J. (Oral)

CM-10263-CWP-2021 in CWP-25508-2019
CM-10278-CWP-2021 in CWP-25507-2019
CM-10351-CWP-2021 in CWP-26410-2019

In view of the averments made in the applications, the same are allowed. Main cases are taken on board today itself.

CMs stand disposed of.

Main cases (O&M)

The petitioners in the present writ petitions filed under Articles 226/227 of the Constitution of India seek quashing of the transfer orders dated 06.09.2019 and 22.08.2019. Vide the said transfers orders, the petitioners have been transferred to District Nuh and, therefore, the transfers are challenged on the ground that they have been transferred outside of their parent cadre.

The respondents have chosen not to file reply in the present writ petitions, though transfer orders were stayed on 11.09.2019 and 17.09.2019.

Now, the applications have been filed seeking directions to the respondent/department to allow the petitioners to participate in the online general transfer drive 2021 issued vide Annexure P-10. It is the case of the petitioners that there are general instructions as such that the employees who have got stay orders as such have not been allowed to participate in the transfer drive.

Accordingly, this Court is of the opinion that interim order shall not stand in the way of the petitioners and the petitioners will be

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allowed to participate in the transfer drive, which is taking place and will give their options within a period of 5 days. The respondents shall ensure that the portal is opened for the petitioners to exercise their options for transfer.

The stay orders dated 11.09.2019 and 17.09.2019 shall remain in force till the date the petitioners do not receive their transfer orders on the completion of the transfer drive.

The writ petitions are, accordingly, disposed of in the abovesaid terms.

August 06, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No