

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

CWP-6103-2022

Date of decision: 25.03.2022

SUNIL KUMAR

...Petitioner

V/S

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sanchit Punia, Advocate,
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein, inter alia, seeks issuance of a writ in the nature of certiorari to quash his transfer order dated 17.03.2022 (Annexure P-1) vide which he has been transferred from Jind to Faridabad.

2. Learned counsel for the petitioner submits impugned transfer order has been passed on the request of the petitioner whereas no such request was made by him. He submits that though case of the petitioner falls under the couple case category, but the department has not adopted any specific policy for its employees. He further contends that petitioner is fully conscious that being a Government servant, he can be transferred but the same ought to have been done in accordance with the transfer policy. He submits that qua his aforesaid grievance, petitioner submitted his representation dated 21.03.2022 (Annexure P-3) but to no avail. Hence, the instant petition.

3. On advance service, learned State counsel joins proceedings and submits that the competent authority shall take decision either way,

on the pending representation dated 21.03.2022 (Annexure P-3) of the petitioner, in due course.

4. Learned counsel for the petitioner also agrees that let a final decision be taken, by the competent authority on his pending representation.

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 21.03.2022 (Annexure P-3) and also by keeping in view the contentions raised in the present petition by treating the same as representation and take a decision in accordance with law, as expeditiously as possible.

7. Disposed of accordingly.

8. Meanwhile, till the passing of the orders as aforesaid, operation of impugned order dated 17.03.2022 (Annexure P-1) shall remain stayed.

25.03.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No