

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

**CWP-6598-2022
Date of Decision:30.03.2022**

Anoop Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Shalender Mohan, Advocate
for the petitioners.

Ms. Kirti Singh, D.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioners herein *inter alia* seek issuance of a writ in the nature of *certiorari* quashing the impugned order dated 09.03.2022 (Annexure P-9) passed by respondent No.2, vide which, they have been transferred against the transfer policy dated 09.10.2020 (Annexure P-10).

2. Learned counsel for the petitioners submits that petitioner No.1 has served as Veterinary Livestock Development Assistant from 2006 to 2008. Thereafter, he was transferred on 16.07.2008, 06.10.2010 and 17.06.2014. Likewise, petitioner No.2 has served in Animal Husbandry Department, Haryana from 04.07.2003 to 21.06.2011. Thereafter, he served as VLDA from 22.06.2011 to 02.11.2011 at GVH Mundhal (Bhiwani) from 03.11.2011 to 25.05.2012 at GVD Kanehti (Dadri), from 26.05.2012 to 04.03.2021 at GVD Navarajgarh and from 05.03.2021 to date at GVD Halwus. The grievance of the petitioners is that they have now been transferred within a period of one year, which is against the transfer policy dated 09.10.2020. Hence, the instant petition.

3. On advance service, learned State counsel appears and strenuously opposes issuance of notice of motion. However, she submits that competent authority shall take decision either way, in due course, by treating the instant petition as representation.

4. Learned counsel for the petitioners also agrees that let a final decision be taken, by the competent authority by treating the writ petition as a 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 petitioners and also by keeping in view the contentions raised in the present petition by treating the same as supplementary representation and take a decision in accordance with the transfer policy as envisaged under Clause 7, more particularly Sub-clause (vii) thereof, which states that the representation has to be decided within a period of 15 days.

7. Disposed of accordingly.

8. Till a final decision is taken on the representation, *status quo* services of the petitioners shall be maintained.

(ARUN MONGA)
JUDGE

30.03.2022

gurpreet

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No