

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

(231-A)

CWP-9606-2019 (O&M)

Date of Decision : November 22, 2022

Narender and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sumit Sangwan, Advocate, for the petitioners.

Mr. Narender Behgal, AAG, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-6496-CWP-2021

As prayed for, the application is allowed.

CWP-9606-2019

Learned counsel for the petitioners submits that the petitioners are working in District Bhiwani in the JBT cadre, which is a District cadre. The Charkhi Dadri was carved out as a new District from the area which came within the District Bhiwani in the year 2016 and certain employees, who are working within District Bhiwani in various other Departments, were allocated the new carved out District of Charkhi Dadri but the Teachers, who are working in the Education Department, were not given any option to opt for the new District and the respondents on their own,

allocated the new District to the JBT Teachers.

Learned counsel for the petitioners submits that the allocating JBT Teachers to a new District of Charkhi Dadri has caused prejudice to the petitioners as certain Teachers, who are junior to the petitioners in the seniority list in the cadre of JBT, have been allocated, Charkhi Dadri ignoring the claim of the petitioners, who had a preferential right being senior.

Learned counsel for the respondents submits that detailed reply has already been filed where the mutual transfer have already been effected keeping in view the interest shown by the teachers, who wanted to get transfer from Bhiwani to Charkhi Dadri and vice versa.

Learned counsel for the petitioners submits that even as of now, there are Teachers, who are ready for the mutual transfer within the two Districts i.e Charkhi Dadri and Bhiwani and the benefit of mutual transfer as extended by the Department on an earlier occasion, can be extended again.

Learned counsel for the respondents submits that in case any representation is received for mutual transfer from two Districts, appropriate consideration will be given and appropriate order will be passed within a period of eight weeks of the receipt of any such mutual transfer application and in case, the relief is found to be feasible to be extended, the same will be extended to the concerned Teachers.

Learned counsel for the petitioners submits that keeping in view the above, the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to approach the respondents by filing appropriate representation claiming mutual transfer.

Ordered accordingly.

As the main writ petition is disposed of, applications i.e. CM-6497-CWP-2021 and CM-8296-CWP-2020 also stand disposed of.

November 22, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No