

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

CWP-10958-2021

Date of decision: 20.12.2022

PAWAN PURSHOTAM

...Petitioner

VS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Jasbir Mor, Advocate and
Mr. Govind Mor, Advocate,
For the petitioner.

Ms. Mamta Singla Talwar, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of Certiorari for quashing impugned transfer order dated 01.06.2021 (Annexure P-10) *qua* the petitioner vide which he was transferred from PSD II Narwana at Uchana to QCSD Hisar/DDRL Hisar.

2. While issuing notice of motion, vide an order dated 15.06.2021, stay was granted on the impugned transfer order. More than 1½ years have passed since then. However, petitioner has been continuing at PSD II Narwana at Uchanaby virtue of interim stay granted by this Court. Interim stay has already outlived its utility period and/or mitigating circumstances, if any. No grounds for further indulgence are made out.

3. Learned State counsel also strenuously opposes the petition by relying on para 8 of the reply filed on behalf of respondents No.1 to 5, which is reproduced hereinbelow:

“8.That the relaxation in view of the Hon'ble High Court orders dated 04.09.2020 has expired on 30.11.2020 and after expiry of the relaxation period, this department has issued an order vide dated 09.12.2020 (Annexure R-3) regarding the compliance of posting / transfer order of Junior Engineer (Civil) made vide this office order No. 118488 dated 17.08.2020. But till date petitioner has not joined at PSD Kalayat as per status shown in HRMS Portal (Annexure P-5). As a result online transfer software again put the petitioner on Deemed employee category as petitioner last status shown in HRMS is PSD Narwana at Uchanaw.e.f. 01.04.2012. Total tenure in this Sub Division is 08 years 9 months. Moreover, telephonic calls and text messages (Annexure P-6) were also sent to petitioner by this office regarding to fill up station choices and in response to this petitioner filled up his choice for one station i.e. Provincial Division, Narwana. If the petitioner has any grievances with this process then why he could not contact in the office of answering respondent No.02. However he filled up choice for posting. Earlier, petitioner has also disobeyed the online transfer orders issued vide Annexure P-1 and the same is again repeated by the petitioner. Every employee will be responsible for the accuracy and regular updating of data on the portal in respect of his/her credentials. In case, he/she notices any discrepancy, he/she will get it rectified by adopting due procedure after producing the relevant evidence before the competent authority. He/she will be responsible for updating of the profile as and when any status is changed.”

4. Petitioner has thus been continuing in Narwana at Uchana for a period of 08 years and 09 months.

5. In the premise, the impugned order dated 01.06.2021 (Annexure P-10) does not call for any further interference from this Court in exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India.

6. Dismissed.

(ARUN MONGA)
JUDGE

December 20, 2022

Vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No