

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CWP-10265-2020

Date of Decision : August 04, 2022

Rohtash

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Karan Nehra, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present writ petition, the challenge is to the transfer order dated 30.06.2020 (Annexure P-15) whereby the petitioner was posted out from Government Middle School Dhani Vishanu to Government Girls Middle School Chirod, on the ground that the petitioner did not complete two years tenure at that present place of posting.

While issuing notice of motion, the interim order was granted by this Court which continued to operate even as of now. The respondents have filed reply to the petition saying that prior to the transfer of the petitioner to Government Middle School Dhani Vishanu, respondent No.4

was posted at the said place and has approached this Court by filing CWP No.26315 of 2019 and an interim order was passed on 17.09.2019 by the Coordinate Bench of this Court by which relieving order of respondent No.4 for the Government Middle School Dhani Vishanu was stayed.

Learned counsel for the respondents submits that the situation is such that respondent No.4 and the petitioner are working in the same school despite the fact that workload is not meant for two teachers at the said station.

The writ petition filed by respondent No.4 was disposed of by the Coordinate Bench of this Court deciding that respondent No.4 shall be allowed to continue at Government Middle School Dhani Vishanu till he is considered for transfer in the next transfer policy.

Learned counsel for the respondents submits that transfer policy for the year 2022-23 has already been published, hence, along with respondent No.4, the petitioner can also participate and get considered for transfer and appropriate order will be passed keeping in view the administrative exigencies.

Learned counsel for the respondents further submits that till the transfers are effected in pursuance to the transfer policy of the year 2022, the petitioner will also be allowed to continue at the present place of posting.

Learned counsel for the petitioner submits that keeping in view the above, the present writ petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

It is made clear that the petitioner and respondent No. 4 will be governed by the transfer order, if any issued by the respondents in pursuance to the transfer policy of the year 2022.

August 04, 2022

harsha

**(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No