

CM-18860-18861-CWP-2022 in/and
CWP-12152-2021 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CM-18860-18861-CWP-2022 in/and
CWP-12152-2021
Date of Decision : 02.12.2022

Sunita Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amit Dhanda, Advocate for
Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-18860-CWP-2022

Present application has been filed for preponing the date of hearing of the main petition i.e. CWP No. 12152 of 2021, which stands adjourned to 15.02.2023.

Notice of the application to the counsel opposite.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and raises no objection for the grant of prayer as raised in the present application.

Keeping in view the above, application is allowed and the

hearing of the main petition i.e. CWP No. 12152 of 2021 is preponed from 15.02.2023 to today.

CM-18861-CWP-2022

Present application has been filed for placing on record replication to the written statement filed on behalf of respondents No. 1 to 3.

Application is allowed and replication to the written statement filed on behalf of respondents No. 1 to 3 is taken on record.

CWP-12152 of 2021

In the present petition, the grievance of the petitioner is that she has not been given a posting in District Panchkula, which option she had opted for but she has been transferred to District Kaithal, which act of the respondents is totally arbitrary and illegal.

Learned counsel for the petitioner submits that the petitioner, who was working as a Lecturer in Hindi after being selected on 13.01.2019, was entitled to be posted in District Panchkula keeping in view her option exercised but ignoring those options, the petitioner has been transferred vide order dated 02.07.2021 (Annexure P-7) to Govt. Model Sanskriti Senior Secondary School, Kalayat, District Kaithal. The said order is under challenge in the present petition.

Upon notice of motion, the respondents have filed the reply and along with the reply, the respondents have placed on record the printout of the options, which were opted by the petitioner, which options related to District Kaithal only. As per the respondents, the petitioner has been given a posting as per her option.

Learned counsel for the petitioner submits that there is a

discrepancy with regard to the options submitted by the petitioner and the options, which are being taken into consideration by the respondents, as the petitioner never submitted any option for District Kaithal.

In the present case, disputed question of facts have arisen, which cannot be gone into by this Court as both the parties are striking to their respective stand.

Further, the posting cannot be claimed as a matter of right and once, according to the respondents, the petitioner had submitted her options for District Kaithal and she has been given the said station, this Court cannot interfere.

However, as there are certain disputed facts and the petitioner is claiming posting in District Panchkula and one post of PGT Hindi in Govt. Model Sanskriti Senior Secondary School, Sector-20, Panchkula is lying vacant, the respondents are directed that as and when the said post is to be filled up, the claim of the petitioner be also considered along with other candidates, in case more than one employee opts for posting to the said station.

Writ petition is disposed of in above terms.

December 02, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No