

128 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12090-2022
Date of Decision: 30.05.2022

PARVEEN KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Jitender S. Chahal, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *certiorari* for quashing the transfer order dated 21.05.2022 and 23.05.2022 (Annexures P-1 and P-2, respectively) whereby, he was transferred by respondent No.2, allegedly by exceeding administrative jurisdiction. It is claimed that the appointing authority of the petitioner is respondent No.1.

2. Petitioner was appointed on regular basis as Junior Athletic Coach on 08.12.2010 in the office of respondent No.3 i.e. District Sports and Youth Affairs Officer, District Yamunanagar and thereafter, promoted as Athletic Coach on 14.12.2016. Vide order dated 23.05.2022 (Annexure P-2), he was transferred from the office of respondent No.3 to office of respondent No.4 i.e. District Sports and Youth Affairs Officer, District Panchkula by respondent No.2 on the request of the petitioner. The grievance of the petitioner is that he never made any request for his transfer to the office of respondent No.4 and the said transfer order is without jurisdiction as the only Additional Chief Secretary i.e. respondent No.1 is having power to transfer him from one place to another and not respondent No.2.

3. Qua the aforesaid grievance, petitioner also submitted a representation dated 24.05.2022 (Annexure P-3) but the same has not been adverted till date. Hence the petition.

4. On advance service, learned state counsel appears and submits that a decision will be taken by competent authority, either way, on the pending representation dated 24.05.2022 (Annexure P-3) by passing a speaking order.

5. At this stage, learned counsel for the petitioner also seeks decision on the pending representation, as suggested by learned State counsel.

6. 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.

7. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the respondents to look into the representation dated 24.05.2022 (Annexure P-3) of the petitioner and pass an administrative order, in accordance with law.

8. Let the needful be done as expeditiously as possible.

9. Disposed of accordingly.

May 30, 2022
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No