

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

241

CWP-14566-2020

Date of decision : 09.11.2022

Akhil Sharma

... Petitioner

Versus

Haryana Shehri Vikash Pradhikaran (HUDA) and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Lekh Raj Sharma, Advocate for the petitioner.

Mr. Arvind Seth, Advocate for respondents No.1 and 2.

Mr. Aniket Aggarwal, Advocate and
Mr. R.S. Dhaliwal, Advocate for
Mr. Rajeev Anand, Advocate for respondent No.3.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the orders dated 08.09.2020 (Annexures P-5 & P-6) whereby he has been transferred from Gurugram to Panchkula.

Learned counsel for the petitioner submits that the petitioner is working as a Driver on contractual basis. His children are studying at Gurugram and the petitioner being a contractual employee ought not to have been transferred from Gurugram. He also submits that the petitioner is being paid a paltry sum of Rs.19,000/- per month and the respondents have, during the pendency of this petition, issued him a show cause notice for recovery of the excess amount and vacation of the government house. He, however, submits that the petitioner is occupying the government house like several similarly situated employees and he has not been drawn any excess amount as

salary. The petitioner is being victimized at the behest of respondent No.3, who is the Estate Officer.

Learned counsel for respondent No.3 submits that respondent No.3 has been transferred from the post of Estate Officer, HSVP, Gurugram to Kurukshetra as Municipal Commissioner.

Heard.

The petitioner has alleged victimization at the behest of respondent No.3 who has been transferred from Gurugram to Kurukshetra. This Court by order dated 16.09.2020 had stayed the operation of the impugned order. The petitioner, who is working as a driver, has continued to remain posted at Gurugram. It would be in the interest of justice if the petitioner is permitted to continue at Gurugram till April, 2023 when the next transfer drive would be initiated.

Consequently, the petition is disposed of with a direction that the petitioner would remain posted at Gurugram till April, 2023 and his case, thereafter, would be considered in terms of the transfer policy. The petitioner would file his reply to the show cause notice within a period of one month and he would also be given an opportunity of hearing before passing the order in accordance with law.

(ANUPINDER SINGH GREWAL)
JUDGE

November 09, 2022

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No