

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

120

CWP-19728-2022

Date of Decision :06.09.2022

Suman Bala and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasbir Mor, Advocate for the petitioners.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that while effecting the transfers in question, transfer policy has not been kept in mind by the respondent-department hence, the transfer of the petitioners is contrary to the transfer policy and are liable to be set aside.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that as the petitioners are raising dispute with regard to the non-adherence of various clauses of the policy, therefore, in case petitioners file any representation with the respondents within a period of two days from today, the same will be considered in accordance with law by the respondents and an appropriate speaking order will be passed within a period of 07 days thereafter. In case after the decision, it is found that the petitioners are entitled for any relief, the same will be extended to them.

Learned counsel for the petitioners submits that keeping in view the statement of the learned State counsel, the present petition may

kindly be disposed off having been not pressed any further but prays that keeping in view the fact that the respondents have agreed to look into the grievance of the petitioners, the petitioners be allowed to continue at their present place of posting so that in case their claim is accepted by the respondents, they do not suffer harassment of shifting base again.

Learned State counsel opposes the said prayer of the learned counsel for the petitioners.

Keeping in view the above, the present petition is disposed off having been not pressed any further.

It is directed that the respondents will abide by the undertaking as recorded hereinabove and further till the representation is decided by the respondent-department, in case the petitioners have not been relieved so far, they be allowed to continue at their present place of posting so that in case claim of the petitioners is accepted by the respondents, they do not suffer harassment or prejudice. It is made clear that in case claim of the petitioners is not accepted by the respondents, the petitioners will be bound to comply with the order of transfer so as to join at their new place of posting.

In case, after the decision of the respondents, the petitioners feel aggrieved, they will be at liberty to avail an appropriate remedy available with them for the redressal of their grievance.

September 06, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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