

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

121

CWP-19893-2022

Date of Decision :06.09.2022

Sarla Devi and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanchit Punia, Advocate for the petitioners.

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Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioners is that the petitioner No.1, who was working as ESHM has been transferred as TGT Home Science and has not been adjusted in the same school though, the post of TGT was very much available in the said school.

The grievance of petitioner No.2 is that he is transferred without completing the minimum required period of 05 years at the present place of posting hence, the said transfer is contrary to the order passed by this Court in **CWP-15108 of 2021** titled as **Vikram Singh and others vs. State of Haryana and others** decided on 24.08.2021

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that the grievance being raised by the petitioners is specific to their claim and in case the said grievance is raised

by the petitioners before the competent authority by way of filing an appropriate representation, the same will be considered and an appropriate speaking order on the same will be passed after giving due consideration within a period of seven days from the date of receipt of said representation.

Learned counsel for the petitioners submits that the petitioners intend to approach the respondents raising their grievance by way of filing a representation and 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 representations filed by the petitioners are 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