

S.No.136

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

CWP No.20224 of 2022

Date of Decision:07.09.2022

Amit Kumar

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jawahar Lal Goyal, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance of the petitioner is that the petitioner was appointed as Math Master/ TGT Mathematics at Government Sr. Sec. School, Prahlad Pur, District Kurukshetra, whereas the petitioner is also having the additional charge of Associate NCC Officer.

Learned counsel submits that as per the transfer policy, an employee who is also having the charge of Assistant Associate Officer should be transferred only to a place where the NCC Unit exist whereas by the impugned order dated 28.08.2022, the petitioner has been transferred to Government High School, Bapda Bapdi, District Kurukshetra where no post of Associate NCC Officer exist, hence, the transfer of the petitioner is bad.

Learned counsel for the petitioner further submits that in somewhat similar circumstances, an employee, namely, Ravinder Singh has been granted exemption from the participation in transfer. Learned counsel submits that keeping in view the said fact including the fact that the workload of the post of Math Master/ TGT Mathematics exists at the present place of posting, the respondents are liable to review the

transfer order of the petitioner. Learned counsel submits that the petitioner has already raised the grievance in the representation dated 20.08.2022 (Annexure P.15) which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Harish Nain, learned Assistance Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents- State and raises no objection in deciding the representation dated 20.08.2022 (Annexure P.15) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation, respondent No.3 is directed to decide the representation dated 20.08.2022 (Annexure P.15), by passing a speaking order within a period of two weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

September 07, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No