

S.No.130+146

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

CWP No.20178 of 2022 (O&M)

Date of Decision:07.09.2022

Nawneet Singh

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

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

Present:- Mr. Kshitij Sharma, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

CM No.14016 of 2022

Application is allowed as prayed for. Correct copy of the order dated 28.08.2022 is taken on record.

CWP No.20178 of 2022

In the present petition, the grievance of the petitioner is that the petitioner is a especially abled person keeping in view the ailment suffered by him. Hence, this fact was required to be taken into consideration while effecting the transfers, which consideration has not been extended by the respondents while passing an order of the transfer dated 28.08.2022 (Annexure P.5) by which order, the petitioner has been transferred from Government Middle School, Dhani Rahimpur, District Bhiwani to Government Middle School, Hizrawan Kalan, Fatehabad, which is approximately 150 kilometers away from the present place of posting.

Learned counsel for the petitioner submits that once the petitioner is a specially abled person, the respondents were under obligation to consider the said fact while effecting the transfer, which is also

in consonance with the transfer policy. Hence, the respondents are under obligation to review the transfer of the petitioner effected vide order dated 28.08.2002 (Annexure P.5). Learned counsel for the petitioner further submits that the said grievance has already been raised by the petitioner in the representation dated 30.08.2022 (Annexure P.9) which is still pending consideration with the respondents and the petitioner will be satisfied in case time bound direction is given to respondent No.2 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent- State and raises no objection in deciding the representation dated 30.08.2022 (Annexure P.9) 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.2 is directed to decide the representation dated 30.08.2022 (Annexure P.9) 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