

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

138

CWP-20226-2022

Date of Decision :07.09.2022

Bindu

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shalender Mohan, Advocate for the petitioner.

* * *

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present writ petition, the grievance of the petitioner is that while participating in the transfer drive, the petitioner has selected six options of the stations for her transfer, which options have not been taken into consideration by the respondents while effecting her transfer. Learned counsel for the petitioner submits that the candidates, who are having lesser marks than the petitioner, have been given the stations, which the petitioner had opted for, which action of the respondents is contrary to the transfer policy.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of filing the representation dated 28.08.2022, copy of which has been appended with the present writ petition as (Annexure P/8) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondent-State to consider and decide the said representation and pass an

appropriate speaking order.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that as the petitioner is raising dispute with regard to the non-adherence of various clauses of the policy, therefore, representation dated 28.08.2022 (Annexure P/7) filed by the petitioner with the respondents will be considered in accordance with law by the respondents and an appropriate speaking order will be passed within a period of 10 days from the date of receipt of copy of this order. In case after the decision, it is found that the petitioners are entitled for any relief, the same will be extended to her.

Learned counsel for the petitioner 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 petitioner, the petitioner be allowed to continue at her present place of posting so that in case her claim is accepted by the respondents, she does not suffer harassment of shifting base again.

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 petitioner has not been relieved so far, she be allowed to continue at her present place of posting so that in case claim of the petitioner is accepted by the respondents, she does not suffer harassment or prejudice. It is made clear that in case claim of the petitioner

is not accepted by the respondents, the petitioner will be bound to comply with the order of transfer so as to join at her new place of posting.

In case, after the decision of the respondents, the petitioner feel aggrieved, she will be at liberty to avail an appropriate remedy available with her for the redressal of her grievance.

September 07, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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