

S.No.132

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

CWP No.20396 of 2022

Date of Decision:08.09.2022

Mukta Alawadi

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

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

Present:- Mr. S.P. Arora, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioner argues that in the present case, while participating in the transfer drive, the petitioner had submitted 32 options for being posted but in an illegal and arbitrary manner, all the options though at one given point of time, were open but have been filled up and some of the stations have been kept reserved by the respondents as of now. Learned counsel submits that once initially 32 options given by the petitioner were a valid option, the petitioner has a right to be considered against those stations and non-consideration of the petitioner against those stations is contrary to the transfer policy. Learned counsel for the petitioner further submits that as of now, four stations out of the total options, which were opted by the petitioner are vacant and the petitioner in the grievance which has been raised before the respondent vide Annexure P.11 has raised the claim of the petitioner qua those four stations and the petitioner will be satisfied 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 the asking of the Court, Mr. Harish Nain, learned Assistant 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 31.08.2022 (Annexure P.11), which is still pending consideration with the authorities, the same will be decided within a period of ten days from the date of receipt of copy of this order and in case merit is found in that grievance, the appropriate redressal will be done.

Learned counsel for the petitioner submits that keeping in view the statement made by the learned State Counsel that the petitioner does not press the present petition, however, he prays that since the respondents have agreed to look into the grievance of the petitioner, therefore, till the passing of the appropriate order on the representation, the petitioner be allowed to continue on the present place of posting, otherwise, in the event, claim of the petitioner is accepted, she will suffer further harassment of shifting back again.

Keeping in view the fact that the respondents have undertaken to look into the grievance of the petitioner as raised in her representation dated 31.08.2022 (Annexure P.11), the contention of the petitioner to not dislodge her from the present place of posting till the decision upon the representation has merit. It is directed that the petitioner be allowed to continue at the present place of posting till the passing of the order on her representation. In case the prayer of the petitioner is not accepted by the respondents, the petitioner will join the transferred place of posting forthwith.

Ordered accordingly.

September 08, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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