

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.20572 of 2022

Date of Decision: 09.09.2022

Mandeep Gill

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Tejpal Singh Dhull, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner submits that despite the fact that the petitioner has not completed five years of service at the present place of posting and the petitioner has specific circumstances, according to which the respondents are under obligation not to transfer the petitioner at least minimum period of five years but still the respondent has transferred the petitioner without any justification which act of the respondents is contrary to the provisions of the transfer policy.

Learned counsel for the petitioners further submits that such transfer of the petitioner is contrary to the observations made by the Coordinate Bench while passing order in CWP No.15108 of 2021 titled as *Vikram Singh and others v. State of Haryana and others* according to which, the respondents were to keep in mind the minimum stay provided under the transfer policy, which clause has been ignored by respondents while affecting the transfer of the petitioner.

Learned counsel for the petitioner submits that the said grievance has already been brought to the notice of the competent authorities by filing appropriate representation dated 29.08.2022 a copy of which has

been appended as Annexure P-7 and the petitioner will be satisfied, at this

stage, in case a time bound direction is given to the respondents to decide the same by passing appropriate speaking order.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that in case, representation dated 29.08.2022 (Annexure P-7), if not already decided then the same will be decided within a period of 10 days from today by passing an appropriate speaking order. In case, the petitioner has not been relieved so far from the present place of posting then he will be allowed to continue at the present place till the decision of the said representation.

Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel, no further grievance of the petitioner survives at this stage and the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

**(HARSIMRAN SINGH SETHI)
JUDGE**

09.09.2022
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No