

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

**Sr. No.130**

**CWP No.20828 of 2022**

**Date of Decision: 13.09.2022**

Virender Singh

.... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Vineet Kumar Jakhar, Advocate and  
Mr. Gurminder Singh, Advocate for the petitioner.

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**HARSIMRAN SINGH SETHI, J. (ORAL)**

In the present petition, the grievance of the petitioner is qua the transfer order dated 06.09.2022 (Annexure P-16) on the ground that the petitioner had given preference in respect of the vacancies notified by the department prior to 24.08.2022 but on 24.08.2022, the respondents issued a notice dated 24.08.2022 (Annexure P-8) that the preferences are to be exercised in pursuance to the vacancies which were notified along with the said notice and the earlier options were not to be considered but no such fresh vacancies were notified along with the notice, which has caused prejudice to the petitioner.

Learned counsel for the petitioner submits that the petitioner has been deprived of his valid right of opting against the vacancies, which were never notified by the respondents despite making a claim in the notice dated 24.08.2022 (Annexure P-8), hence, the impugned transfers which have been effected on the basis of old options, are liable to be set aside.

Learned counsel further submits that the petitioner has already raised the said grievance vide representation dated 28.08.2022

(Annexure P13) and without deciding the said representation, the orders of transfers were passed by the respondents.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that the said representation dated 28.08.2022 (Annexure P-13) moved by the petitioner shall be decided by passing an appropriate speaking order within a period of 10 days from the receipt of copy of this order and in case, the petitioner has not been relieved till today from the present place of posting then he will be allowed to continue at the present place of posting till the decision of the said representation.

Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel, the present petition may kindly be disposed of as having been not pressed any further.

Ordered accordingly.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

13.09.2022  
Maninder

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