

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

Sr. No.128

CWP No.20824 of 2022

Date of Decision: 13.09.2022

Viney Kumar

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present petition, the grievance of the petitioner is that despite the fact that petitioner has not completed minimum stay of 5 years at the present place of posting as envisaged under the transfer policy but by ignoring the said clause of the transfer policy as well as the directions issued by Coordinate Bench of this Court in **CWP No.15108 of 2021** on 24.08.2021, titled as **Vikram Singh and others versus State of Haryana and others**, the petitioner has been transferred vide impugned order dated 09.09.2022 (Annexure P-10), which act of the respondents is totally arbitrary and illegal and liable to be set aside.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance by way of representation dated 03.09.2022 (Annexure P-6), which is pending consideration of the respondents. Learned counsel submits that the impugned order was passed without considering the said representation and the petitioner will be satisfied at this stage in case the respondents are directed to decide the said representation by passing an appropriate speaking order in a time bound manner.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that the grievance of the petitioner as raised vide representation dated 03.09.2022 (Annexure P-6) will be looked into and an appropriate order will be passed within a period of 10 days from the receipt of copy of this order. 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

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