

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

Sr. No.143

CWP No.20853 of 2022

Date of Decision: 13.09.2022

Sanjay Kumar

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Dalbir Singh, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that the petitioner is aggrieved against the respondents for allotting the station of his choice to the persons who have secured lesser marks than the petitioner. Learned counsel submits that once the respondents have formulated a policy according to which the choice of posting will be given to the candidates on the basis of marks secured by them, the impugned act of the respondents in allotting the stations opted by the petitioner to persons with lesser marks than the petitioner is contrary to the policy formulated.

Learned counsel for the petitioner further submits that even otherwise, there are certain posts which are lying vacant in the vicinity of present place of posting of the petitioner, where the petitioner could have been adjusted, hence, the transfer of the petitioner having been effected by the respondents on 28.08.2022, is liable to be reviewed.

Learned counsel for the petitioner further submits that the stations opted by the petitioner on computer could not be transmitted properly and in order to avoid any controversy, the petitioner thereafter gave the options in writing as well, hence, the present transfer of the petitioner

effected on 28.08.2022 has caused him prejudice.

Learned counsel submits that the prejudice caused to the petitioner has already been brought to the notice of the respondents by way of representation dated 28.08.2022 (Annexure P-8), which is pending consideration of the respondents and the petitioner will be satisfied at this stage if the said representation is decided 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 representation dated 28.08.2022 (Annexure P-8) moved by the petitioner shall be decided 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 and in case, the petitioner has already been relieved from the present place of posting, he will not be forced to join at the new place of posting till the decision of the representation so filed by the petitioner.

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