

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

Sr. No.137

CWP No.20842 of 2022

Date of Decision: 13.09.2022

Ashish Kumar

.... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jawahar Lal Goyal, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that in the present case, the petitioner has been transferred outside his cadre which transfer is totally arbitrary and illegal as no employee can be transferred outside their cadre.

Learned counsel for the petitioner further argues that the petitioner belongs to the cadre of “rest of Haryana” whereas, vide the impugned order dated 06.09.2022 (Annexure P-11) the petitioner has been transferred to Mewat cadre which is impermissible.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that in case, the petitioner has any grievance qua the transfer, he can approach the competent authorities by filing appropriate representation within a period of two days from today or in case any such representation raising the said grievance has already been filed by the petitioner, the same shall be decided within a period of 10 days thereafter by passing an appropriate speaking 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 in case, the same is filed 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 with liberty to the petitioner to approach the respondents by filing appropriate representation raising the grievance as raised in the present petition.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

13.09.2022
Maninder

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