

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

**Sr. No.138**

**CWP No.20843 of 2022**

**Date of Decision: 13.09.2022**

Vikash Sharma

.... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Jasbir Singh Mor, Advocate  
for the petitioner.

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**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 current 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 28.08.2022 (Annexure P-1), which act of the respondents is totally arbitrary and illegal and liable to be set aside.

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 submits that the petitioner has already raised the said grievance by way of representation dated

07.09.2022 (Annexure P-8), which is pending consideration with the

respondents 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 representation dated 07.09.2022 (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

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 |