

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

Sr. No.119

CWP No.20845 of 2022

Date of Decision: 20.09.2022

Anurag

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanchit Punia, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner submits that in the present petition, the grievance of the petitioner is that he has been transferred without completing his minimum required service of 5 years at the present place of posting, which is contrary to 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**.

Learned counsel for the petitioner further submits that the petitioner has been transferred at a far off place without considering the fact that the petitioner has a minor son to take care of, whereas certain posts near to the present place of his posting are still lying vacant where the petitioner could have been easily adjusted, which act of the respondent-department is causing prejudice to the petitioner.

The last argument as raised by learned counsel for the petitioner is that the petitioner had opted for a particular station which was shown to be non available to be selected for transfer whereas, another candidate namely Devanand was transferred to the said station on 09.09.2022, which makes it clear that the transfers are being given effect to in an arbitrary manner, especially on the post on which the petitioner is working and which are still lying vacant.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana accepts notice on behalf of the respondents and submits with regard to the transfer of Devanand to Government Senior Secondary School, Baniani, Rohtak that the same has already been cancelled. Learned State counsel further submits that in case, the petitioner has any grievance and the same is brought to the notice of the authorities concerned by way of filing an appropriate manual representation upto Friday i.e.23.09.2022, the same will be considered in accordance with law and an appropriate order will be passed within a period of 10 days from filing any such representation.

Learned State counsel further submits that 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 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 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 with liberty to the petitioner, who is yet to file the representation, to approach the respondents by filing appropriate representation raising his grievance as raised in the present petition.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

20.09.2022
Maninder

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