

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(122)

CWP No. 21004 of 2022

Date of Decision : 15.09.2022

Pradeep Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anil Kumar Sharma, 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 28.08.2022 (Annexure P-17) and order dated 01.09.2022 (Annexure P-18), 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 11.09.2022 (Annexure P-21), 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 11.09.2022 (Annexure P-21) 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 or in case relieved, will not be forced to join 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.

Ordered accordingly.

September 15, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No