

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(145)

CWP No. 21120 of 2022
Date of Decision: 15.09.2022

Rajeev

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunil K. Nehra, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the challenge is to the transfer of the petitioner from District Bhiwani to District Palwal.

Learned counsel for the petitioner argues that the petitioner,, who is a guest teacher and is serving at Senior Secondary School, Legha, District Bhiwani, has been transferred to District Palwal, which act of the respondents is totally arbitrary and illegal. Learned counsel further argues that the petitioner has been transferred outside the District, which is not permissible and the same amount to the change of cadre, which is also not permissible.

Learned counsel for the petitioner submits that certain stations near to the present place of posting of the petitioner are lying vacant, where the petitioner can be accommodated keeping in view the fact that the mother of the petitioner is 65 years old and is suffering from brain tumor and petitioner is also to take care of his father, who is 72 years of age apart from the fact that the petitioner is also suffering from various ailments.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the representation dated 10.09.2022 (Annexure P-6), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the same by passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that the representation dated 10.09.2022 (Annexure P-6) will be decided within a period of 10 days from today by passing an appropriate speaking order and the petitioner 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
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No