

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

**(131) CWP-21080-2022
Date of Decision : September 15, 2022**

Anju Kumari and others .. Petitioners

Versus

State of Haryana and others .. Respondents

(133) CWP-21085-2022

Meenakshi and others .. Petitioners

Versus

State of Haryana and others .. Respondents

(142) CWP-21116-2022

Om Parkash .. Petitioner

Versus

State of Haryana and another .. Respondents

(143) CWP-21117-2022

Ranbir Singh .. Petitioner

Versus

State of Haryana and others .. Respondents

(144) CWP-21118-2022

Kashmiri Lal and another .. Petitioners

Versus

State of Haryana and others .. Respondents

(149) CWP-21135-2022

Parmila and others .. Petitioners

Versus

State of Haryana and others .. Respondents

(155) CWP-21143-2022

Daya Kishan and others .. Petitioners

Versus

State of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasbir Mor, Advocate, for the petitioners
in CWP Nos. 21080 and 21085 of 2022.

Mr. Raj Kapoor Malik, Advocate, for the petitioner
in CWP No.21116 of 2022.

Mr. G.S. Gopera, Advocate, for the petitioners
in CWP Nos. 21117 and 21118 of 2022.

Mr. Shalender Mohan, Advocate, for the petitioners
in CWP No.21135 of 2022.

Mr. Sant Lal Barwala, Advocate, for the petitioners
in CWP No.21143 of 2022.

Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

By this common order, seven writ petitions, the details of which have been given in the heading of the order are being disposed of as all the petitions involve the same question of law on similar facts.

Learned counsel for the petitioners argues that the petitioners have been transferred by the impugned order dated 11.09.2022 whereas, 467 Guest Teachers have been retained at their present place of posting, which act amounts to discrimination.

Learned counsel for the petitioners submits that there are posts available near the present place of posting of the petitioners where the petitioners can be easily accommodated but, the petitioners have been transferred to far off places which is causing prejudice to them keeping in view the salary which is being given to the petitioners and the increased cost of living, as it will be difficult for Extension Lecturers who have been transferred to a far off place to financially survive and discharge their duties.

Learned counsel(s) for the petitioners submits that some of the petitioners have already raised the grievance as raised in the present petitions in the representations filed, copy of which have been appended with the petitions and those petitioners have not filed any representation so far, are ready to file appropriate representation raising the grievance as raised in the present petitions.

Notice of motion.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents submits that as per his instructions, order dated 11.09.2022 has already been withdrawn on 12.09.2022 and these 467 posts which are to be treated as “kept vacant” posts as per the transfer policy and are not to be filled up and those Guest Teachers working against those 467 posts will be transferred to a suitable stations. Learned counsel for the respondents submits that still an appropriate decision with regard to the filling up of these 467 posts or to keep them vacant will be taken by the Government within a period of next two weeks and in case, it is decided that these 467 posts need to be filled up keeping in view the number of students at a particular station, the appropriate order will be passed giving opportunity to all concerned who are eligible to compete for posting against these posts as well.

Learned counsel for the respondents further submits that the grievance which the petitioners have, in case the same is already raised by filing representation or is raised upto Monday i.e. 19.09.2022 by filing any representation, the same will be looked into by the competent authority and appropriate order will be passed within a period of 10 days and further that in case the petitioners have not been relieved from their present place of posting, then they will be allowed to continue at their present place of posting till the decision of the representations and in case, the petitioners have been relieved, they will not be forced to join the transfer place till appropriate order on the representations of the petitioner is passed by the competent authority.

Learned counsel for the petitioners submits that keeping in view the statement of the learned counsel for the respondents, the present petitions may kindly be disposed of as having been not pressed any further

with liberty to the petitioners to approach the respondents by filing appropriate representation raising the grievance as raised in the present petitions.

Ordered accordingly.

A photocopy of this order be placed on the file of other connected cases.

September 15, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No