

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(137)

CWP-23735-2022

Date of Decision : October 17, 2022

Ashwani Kumar

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parth Goyal, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner submits that without updating the MIS portal so as to show that the petitioner is working at the present place of posting, the petitioner has been transferred vide impugned order dated 09.09.2022 (Annexure P-10) which is totally arbitrary and illegal. Learned counsel for the petitioner further submits that had the MIR portal being updated to show that the petitioner is working in the SCERT, Haryana Gurugram since 27.04.2022, it could be the probability that the petitioner would not have been transferred by the impugned order.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by filing a representation dated 13.09.2022 (Annexure P-12), 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 said representation by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the representation dated 13.09.2022 (Annexure P-12) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 13.09.2022 (Annexure P-12), the present writ petition is disposed of with a direction to respondent No.2 to decide the representation dated 13.09.2022 (Annexure P-12) within a period of four weeks from the receipt of copy of this order. In case, the petitioner is not relieved from the present place of posting, he will be allowed to continue.

October 17, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No