

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(123) CWP-27350-2022
Date of Decision : November 30, 2022

Rachna Saxena and others .. Petitioners

Versus

State of Haryana and others .. Respondents

(124) CWP-27359-2022

Atul Sharma .. Petitioner

Versus

State of Haryana and others .. Respondents

(125) CWP-27362-2022

Om Prakash .. Petitioner

Versus

State of Haryana and another .. Respondents

(126) CWP-27364-2022

Naveen Yadav .. Petitioner

Versus

State of Haryana and another .. Respondents

(127) CWP-27366-2022

Urmila .. Petitioner

Versus

State of Haryana and another .. Respondents

(128) CWP-27369-2022

Anuradha Gupta .. Petitioner

Versus

State of Haryana and others .. Respondents

(129) CWP-27372-2022

Rajesh Dahiya and others .. Petitioners

Versus

State of Haryana and others .. Respondents

(130) CWP-27373-2022

Rajesh Kumar .. Petitioner

Versus

State of Haryana and others .. Respondents

(131) CWP-27377-2022

Ashok Kumar .. Petitioner

Versus

State of Haryana and another .. Respondents

(132) CWP-27378-2022

Sushil Sharma .. Petitioner

Versus

State of Haryana and others .. Respondents

(133) CWP-27380-2022

Babita .. Petitioner

Versus

State of Haryana and others .. Respondents

(134) CWP-27381-2022

Neel Kamal and others .. Petitioners

Versus

State of Haryana and others	.. Respondents
(135)	CWP-27382-2022
Krishan Kumar	.. Petitioner

Versus

State of Haryana and others	.. Respondents
(136)	CWP-27383-2022
Veet Tuteja	.. Petitioner

Versus

State of Haryana and others	.. Respondents
(137)	CWP-27387-2022
Parveen Khurana and others	.. Petitioners

Versus

State of Haryana and others	.. Respondents
(138)	CWP-27393-2022
Vikas Pareek	.. Petitioner

Versus

State of Haryana and others	.. Respondents
(139)	CWP-27395-2022
Leena	.. Petitioner

Versus

State of Haryana and others	.. Respondents
(140)	CWP-27398-2022
Renu Bala	.. Petitioner

Versus

State of Haryana and another .. Respondents
(141) CWP-27400-2022

Ramniwas and another .. Petitioners

Versus

State of Haryana and others .. Respondents
(142) CWP-27402-2022

Rajesh Kumar and another .. Petitioners

Versus

State of Haryana and others .. Respondents
(143) CWP-27403-2022

Devender Rana and others .. Petitioners

Versus

State of Haryana and others .. Respondents
(144) CWP-27406-2022

Dilbag Shrivastav and others .. Petitioners

Versus

State of Haryana and others .. Respondents
(145) CWP-27407-2022

Suresh Kumar and others .. Petitioners

Versus

State of Haryana and others .. Respondents
(146) CWP-27408-2022

Isham Singh and others .. Petitioners

Versus

State of Haryana and others .. Respondents

(147) CWP-27409-2022

Vijay Pal and another .. Petitioners

Versus

State of Haryana and others .. Respondents

(149) CWP-27428-2022

Hemant Kumar and others .. Petitioners

Versus

State of Haryana and others .. Respondents

(151) CWP-27430-2022

Alka Sharma .. Petitioner

Versus

State of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanjeev Kumar Aaryya, Advocate for the petitioners
in CWP-27350-2022.

Mr. Atul Sharma, Advocate for
Mr. S.S. Momi, Advocate for the petitioner
in CWP-27359-2022.

Mr. Saurabh Dalal, Advocate for the petitioner(s)
in CWP-27362-2022, CWP-27364-2022 and CWP-27366-2022

Mr. Sandeep Kumar Yadav, Advocate for the petitioner(s)
in CWP-27369-2022 and CWP-27373-2022.

Mr. Jasbir Mor, Advocate for the petitioners
in CWP-27372-2022.

Mr. Tejpal Singh Dhull, Advocate for the petitioners

in CWP-27377-2022 and CWP-27398-2022.

Mr. Damodar Khurana, Advocate for the petitioners
in CWP-27378-2022 and CWP-27383-2022.

Mr. Rishi Lal, Advocate for
Mr. Kamal Mor, Advocate for the petitioners
in CWP-27380-2022 and CWP-27403-2022.

Mr. Jitender Kumar Sehrawat, Advocate for the petitioners
in CWP-27381-2022.

Mr. Ajay Kumar Rana, Advocate for the petitioners
in CWP-27382-2022 and CWP-27430-2022.

Mr. Shalender Mohan, Advocate for the petitioners
in CWP-27387-2022.

Mr. Vikram Sheoran, Advocate and
Mr. Simar Pal Singh, Advocate for the petitioners
in CWP-27393-2022, CWP-27400-2022, CWP-27402-2022
and CWP-27428-2022.

Mr. Sandeep Thakan, Advocate for the petitioner
in CWP-27395-2022.

Mr. Sunil Kumar Dhanda, Advocate for the petitioner(s)
in CWP-27406-2022 and CWP-27409-2022.

Mr. Vijay Pal, Advocate for the petitioners
in CWP-27407-2022.

Mr. Anshul Gupta, Advocate for the petitioners
in CWP-27408-2022.

Harsimran Singh Sethi J. (Oral)

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

In the present petitions, the grievance of the petitioners is that
they are working as Guest Teachers and are now being threatened with
dislocation from their present place of posting on the ground that the Guest

Teachers, who have been displaced so as to accommodate regular employees, are to be adjusted at their place, which is not at all envisaged in the transfer policy.

Learned counsel for the petitioners submits that the displaced Guest Teachers are to be accommodated at the places, which are vacant and are not to be adjusted, where other Guest Teachers are already working.

Learned counsel for the petitioner in CWP No. 27377 of 2022 submits that petitioner has also not been paid his salary for the last four months and it is very difficult to survive in these hardships and the respondents may kindly be directed to decide the said issue of payment of salary, which has already been raised by the petitioner in the representation.

Learned counsel for the petitioner(s) submits that the petitioner(s) have already raised the said grievance by filing representations, copies of which have been attached with the present petitions and the petitioner(s) will be satisfied at this stage, in case a time bound direction is issued to the respondents to decide the said representations.

Notice of motion.

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

Learned counsel for the respondents submits that the representations of the petitioner(s), if already filed or submitted by the petitioner(s) within a period of three days from today, will be considered and decided within a period of eight weeks from the receipt of copy of this order.

Learned counsel for the petitioner(s) submit that once the

respondents have undertaken to decide the grievance raised in the representations, in order to avoid the harassment, the petitioner(s) be allowed to continue at their present place of posting till the decision of the said representations so that in case, tomorrow their grievance is accepted, they are not uprooted again so as to cause further inconvenience to the teachers.

Keeping in view the above, it is directed that till the decision of representations already filed by the petitioner(s) or filed till Friday, petitioner(s) will be allowed to continue at the present place of posting. It is made clear that in case, petitioner(s) have already been relieved, they will be allowed to join back at the same place of posting till the decision.

It is made clear that this Court is not making any observation with regard to the legality or illegality of the transfer at this stage and the respondents will be free to decide the representations filed by the petitioner (s) in accordance with the facts of each case whether, the dislocation of the petitioner(s) is on account of joining of a regular employee or being surplus as informed to this Court by the learned counsel for the respondents keeping in view the information supplied by the department to the learned State counsel.

All the writ petitions stand disposed of in above terms.

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

November 30, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No