

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

112

CWP-27603-2022

Date of Decision :02.12.2022

Pardeep Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhimanyu Singh, Advocate for the petitioner

\* \* \*

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that he is working as Guest Teacher and is now being threatened with dislocation from his 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 petitioner 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 submits that apart from this, the wife of the petitioner is undergoing medical treatment at Charkhi Dadri and displacement of the petitioner will amount to discontinuity of her treatment which can adversely affect the health of the wife of the petitioner.

Learned counsel for the petitioner submits that the petitioner

has already raised the said grievance before the respondents by way of filing representation dated 23.11.2022 (Annexure P/3) and the petitioner 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 representation dated 23.11.2022 (Annexure P/3) submitted by the petitioner will be considered and decided by the respondents within a period of eight weeks from the receipt of copy of this order.

Learned counsel for the petitioner submit that once the respondents have undertaken to decide the grievance raised in the representation, in order to avoid the harassment, the petitioner be allowed to continue at his present place of posting till the decision of the said representations so that in case his grievance is accepted, he is not uprooted again so as to cause further inconvenience to the petitioner.

Keeping in view the above, it is directed that till the decision of representation already filed by the petitioner, the petitioner will be allowed to continue at the present place of posting. It is made clear that in case, petitioner has already been relieved, he 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 representation filed by the petitioner

in accordance with the facts of the case whether, the dislocation of the petitioner 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.

**December 02, 2022**  
*aarti*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes/No*  
*Whether reportable : Yes/No*