

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

**CWP-28629-2022 (O&M)
Date of Decision: 19.12.2022**

Yogesh Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Aman Pal, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing office letter dated 05.12.2022 (Annexure P-3) transferring the petitioner, working as Assistant Employment Officer (General), from Narnaul to Kaithal as Assistant Employment Officer (Vocational Guidance).

2. Short affidavit has also been filed on behalf of the State by way of affidavit of Rajinder Pal, Deputy Director, Employment Department, Haryana, Panchkula and the same is taken on record.

3. Ordinarily, this Court is wary of interfering in transfer matters, same being an integral part of the service conditions necessitated by day-to-day administrative exigencies. However, given that, *apropos* court order dated 05.12.2022 (Annexure P-3), a short affidavit has been filed deposing that the representation dated 05.12.2022 (Annexure P-4) submitted by the petitioner for transferring him to an alternative place is under process, it is, therefore, deemed appropriate to rather dispose of the petition with expectation that the competent authority shall take the impending decision on the pending representation, as

already deposed in the affidavit. The peculiar mitigating circumstances of the petitioner, as more particularly pleaded in para Nos.3 & 4 of the writ petition, may also be taken into consideration.

4. Learned counsel for the petitioner, in view of the aforesaid deposition in the short affidavit, also seeks decision on the pending representation.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the instant writ petition is accordingly disposed of with a direction to the respondents to look into the pending representation dated 05.12.2022 (Annexure P-4) of the petitioner and pass an administrative order, giving reasons thereof, in accordance with law, as expeditiously as possible. Meanwhile, in order to balance equities, the operation of the impugned order shall remain stayed till the decision on the aforesaid representation.

7. Let the needful be done as expeditiously as possible.

(ARUN MONGA)
JUDGE

December 19, 2022

ashish

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No