

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

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**CWP-121-2023 (O&M)
Date of decision: 06.01.2023**

Ria Choudhary and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Shalender Mohan, Advocate for the petitioners.

Mr. Rajesh Gaur, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition filed under Article 226/227 of the Constitution of India is for issuance of a writ in the nature of certiorari for quashing of notice dated 12.12.2022 (Annexure P-3) issued by respondent No.2, vide which the process of online transfer of lecturers of Computers and Mechanical Engineering, scheduled between 04.01.2023 to 10.01.2023, has been initiated.

Learned counsel for the petitioners submits that pursuant to the issuance of transfer notice dated 12.12.2022 in terms of the transfer policy dated 20.07.2022, the petitioners submitted their objections/representation (Annexure P-4) to respondent No.2, but no decision has been taken in the said representation.

Learned counsel for the petitioners further submits that in a similar matter of Workshop Instructors vide order dated 22.09.2022 passed in CWP-21962-2022, a Coordinate Bench has issued direction to decide representations of the petitioners therein and the Department has kept the

policy on hold, whereas in the present case, the policy dated 20.07.2022 is being implemented and the transfer notice dated 12.12.2022 has been issued.

At this stage, learned counsel for the petitioners submits that the petitioners would be satisfied, if the grievance of the petitioners are taken into consideration and Annexure P-4 submitted by them is decided accordingly by respondent No.2-Director Technical Education, Technical Education Board, Sector-4 Panchkula, at the earliest.

Notice of motion.

On the asking of this Court, Mr. Rajesh Gaur, Addl. AG Haryana, accepts notice on behalf of the respondent-State and submits that Annexure P-4 of the petitioners shall be decided within a stipulated period.

In view of the above, the present petition is disposed of with a direction to respondent No.2-Director Technical Education, Technical Education Board, Sector-4 Panchkula, to decide the objection/representation the objections/representation (Annexure P-4) submitted by the petitioners within a period of 08 weeks from the date of receipt of certified copy of this order, by passing a speaking order, in accordance with law.

Till the decision of objection/representation (Annexure P-4) submitted by the petitioners, the operation of Transfer Policy dated 20.07.2022 and transfer notice dated 12.12.2022 shall remain stayed qua the petitioners.

(HARNARESH SINGH GILL)

JUDGE

06.01.2023

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No