

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

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**CWP-541-2023 (O&M)
Date of decision: 12.01.2023**

Rohit Kumar and others

...Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jitender K. Sehrawat, Advocate for the petitioners.

Mr. R.S. Budhwar, 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 mandamus directing the respondents to give the additional service benefits to the petitioners as per Clause 11 of the Amended Teacher Transfer Policy, 2016 amended in 2017 for the department of School Education Haryana, Amended on 13.04.2022.

Learned counsel for the petitioners submits that the in view of the amended transfer policy dated 13.04.2022 (Annexure P-1), the petitioner applied for their transfer and transferred by the department in various Schools in Nuh (Mewat) District, vide order dated 16.05.2022 (Annexure P-2) but they are not being paid the additional 10% of the Basic Pay+D.A. Petitioner Nos. 1 and 2 have made a representations dated 15.12.2022 (Annexures P-4 and P-5) to the department through their heads of the schools.

Learned counsel for the petitioners further submits that the petitioners will be satisfied, if the representations dated 15.12.2022 (Annexure P-4 and P-5) are decided by respondent No.3-Director, Elementary Education Haryana, within a stipulated period.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State.

In view of the above, the present petition is disposed of with a direction to respondent No.3-Director, Elementary Education, Haryana to decide the representation dated 15.12.2022 (Annexure P-4 and P-5) of 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.

(HARNARESH SINGH GILL)
JUDGE

12.01.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No