

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

**CWP-1055-2023(O&M)
Date of decision: 08.05.2023**

Uttam and another

...Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vineet Kumar Jakhar, Advocate for the petitioners.

Mr. Ravi Partap Singh, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a writ in the nature of Certiorari quashing the office orders dated 02.01.2023 (Annexure P-9), dated 03.01.2023 (Annexure P-10) and the transfer dated 06.09.2022 (Annexure P-5) and directing the respondents to stay operation of the aforesaid impugned orders.

Learned counsel for the petitioners submits that there are various flaws in the Transfer Drive as there is disproportionate representations of the teachers as against the students in many schools. He further submits that owing to the Transfer Drive conducted by the respondent-Department under the Rationalisation Policy, several teachers were transferred, but their replacement had been made in some schools only.

Learned State counsel draws the attention of this Court towards the communication dated 05.05.2023 issued by the Additional Director (Admn.-II) O/o Director Secondary Education, Haryana, wherein it has specifically been stated that in view of the various issues faced by the Department during earlier Transfer Drive, further steps are being taken to rectify earlier flaws. In order to ensure more transparency in the Transfer Drive, sufficient time has been given to the employees/authorities for updation/correction in their personal/service profile data. It has also been stated that the rationalisation of posts has been evaluated afresh on the basis of students' strength as on 06.03.2023 and to ensure the error-less and accuracy, the data is being verified at the levels of all the stakeholders i.e. School level, District level and at Head Quarter level. In the communication itself, it has also been submitted that this exercise will take time and prayer has been made for grant of further extension in time.

Learned State counsel submits that he has specific instructions to say that this exercise will take three months and thus, he prays for extension of time.

I have heard the learned counsel for the parties and have also gone through the case file.

The Director Secondary Education, Haryana, is in the process of streamlining the Transfer Drive and in this regard, the directions have also been issued to School and District levels to remove all the errors after taking into consideration the strength of the students.

In view of the above, the present petition is disposed of with a direction to respondent No.2-Director Secondary Education, Haryana, to

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complete the exercise of streamlining the Transfer Drive, within a period of 04 months from the date of passing of this order and the petitioners will not be transferred till the completion of the next Transfer Drive.

(HARNARESH SINGH GILL)
JUDGE

08.05.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No