

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

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CWP-4971-2023 (O&M)

Date of Decision: 14.03.2023

RAKESH KUMAR

... Petitioner

Versus

STATE OF HARYANA AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Deepak Jindal, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks issuance of a writ in the nature of Mandamus directing the respondents to open the option in the transfer drive vis-a-viz the petitioner and to grant the petitioner Rs.10,000/- as allowance for staying in the District Nuh Mewat.

Learned counsel for the petitioner submits that the petitioner is 75% handicapped and has been serving as Guest Teacher Master Sanskrit in District Nuh Mewat and that vide Notification dated 17.04.2021, the Additional Chief Secretary, Government of Haryana, has ordered that if a Guest Teacher opts for 'anywhere in the State' during online transfer drive and is thereafter posted in a school located in Morni Hills Area or Mewat District against a vacancy for which no teacher has opted, he/she will be paid additional honorarium of Rs.10,000/- per month during the said posting. He further submits that despite there being a specific notification with regard to additional pay to be given to the Guest Teachers posted in Mewat District, the petitioner has not been

granted the said benefit since inception. Still further, it is submitted that the petitioner tried to participate in the transfer drive held in September, 2022, but he was unable to fill up the options, as the cancellation order (Annexure P-2) has not been updated on his MIS portal.

Notice of motion.

On the asking of this Court, Mr. RS Budhwar, Additional AG Haryana, accepts notice on behalf of the respondents-State. He undertakes to look into the matter regarding non-payment of Rs.10,000/- as additional allowance to the petitioner, as was ordered by the Additional Chief Secretary, Haryana, vide Notification dated 17.04.2021. He, however, submits that the updation of the cancellation order (Annexure P-2) on the MIS portal is the duty of the Principal, Government Senior Secondary School, Nuh Mewat and the concerned Principal will do the necessary updation, at the earliest. He further submits that the petitioner can participate in the next transfer drive to be held in the month of August-September, 2023.

I have heard the learned counsel for the parties.

In view of the above and without going into the merits of the case, respondent No.2-Director Elementary Education, Panchkula or No.3-Principal, Government Senior Secondary School, Nuh Mewat, are directed to ensure that the cancellation order (Annexure P-2) and other relevant documents will be uploaded on the MIS portal of the petitioner, enabling him to participate in the next transfer drive, which is to be scheduled in the month of August-September, 2023, within a period of 4

weeks from the receipt of the certified copy of this order, in accordance with law.

The respondents are further directed to look into the matter regarding non-payment of Rs.10,000/- as additional allowance to the petitioner, for being posted in the District Nuh Mewat and release the arrears w.e.f. 17.04.2021, if any, at the earliest.

Disposed of in the above terms.

14.03.2023

Aman Jain

Whether speaking/reasoned

Whether reportable

(HARNARESH SINGH GILL)

JUDGE

:

:

Yes/No

Yes/No