

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-7103-2023 (O&M)
Date of decision: 12.04.2023

Pawan Kumar

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Dr. (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-vis the petitioner and to grant him Rs.10,000/- as allowance for staying in the District Nuh Mewat and to remove 'Mewat Educationist' mentioned in his MIS.

Learned counsel for the petitioner submits that the petitioner joined as Sanskrit Master (Guest Teacher) on 17.05.2007 in Gurugram District and on 17.07.2009, he was transferred to District Nuh Mewat and since then he has been serving there and suffering a lot. It is further submitted 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 an 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 and the petitioner is not able to participate in the transfer drive pursuant to the online transfer police 2020-21 launched by the State Govt., as whenever the petitioner tries to open it, the words 'Mewat Educationist' appear in his MIS.

Notice of motion.

On the asking of this Court, Mr. RS Budhwar, Additional AG Haryana, accepts notice on behalf of the respondents-State and submits that the petitioner was transferred to District Nuh Mewat on 17.07.2009 and till date, he has not raised any grievance.

He, however, submits that matter of 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, and removal of 'Mewat Educationist' from his MIS, can be looked into by the concerned respondents.

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

In view of the above and without going into the merits of the case, respondent No.2-Director Elementary Education, Panchkula and respondent No.3-Principal, Govt. Middle School, Village Bukharaka (Code 6081), Tehsil Ferozepur Jhirka, District Nuh Mewat, are directed to ensure the removal of 'Mewat Educationist' from the MIS of the petitioner, enabling him to participate in the next transfer drive, which is stated to be scheduled in

the months 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.

(HARNARESH SINGH GILL)
JUDGE

12.04.2023
Mangal Singh

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