

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

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**CM-13339-CWP-2023 in /and
CWP-10149-2023**

Date of Decision : 12.09.2023

Sunil Kumar

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Vishal Nehra, Advocate for the petitioner

Mr. Parveen Mehta, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking a writ of *certiorari* setting aside the transfer order, dated 08.05.2023 (Annexure P-12), whereby the petitioner was transferred from Government High School, Kistranti Sampla, District Rohtak, to Government Senior Secondary School Pakasma, in the same district.

2. On request of learned counsel for the parties, main case is taken up on board for disposal.

3. The transfer order was stayed by this Court vide order dated 10.5.2023. The petitioner later moved the application, CM No.13339-CWP-2023, for release of salary from May 2023 onwards. On the last date of hearing, 04.09.2023, the following statement was made by learned State counsel:

Learned State counsel, upon instructions, submits that the School where the petitioner was working, stands merged with the

Government Senior Secondary School, Pakasma, Rohtak. The post of S.S. Master in Government High School, Garhi Sampla, was declared surplus, and the petitioner, who was working against the said post, was transferred to Government Middle School, Kistranti, Rohtak, on 28.08.2022 as per the transfer policy. Since there is no post of TGT in the School, the petitioner cannot draw salary from there. Only on account of interim order passed by this Court, he is continuing in the same school without any work.

Faced with this situation, learned counsel for the petitioner seeks a short accommodation to get instructions.

Adjourned to 12.09.2023.

4. Learned counsel for the petitioner, on instructions, submits that the petitioner is ready to join Government Senior Secondary School Pakasma, Rohtak (2670) and will do so within two days.

5. Learned State counsel submits that on his joining there, the salary due to the petitioner from May 2023 shall be released within two weeks therefrom.

6. Disposed of.

7. In view of the statements made by learned counsel for the petitioner, the petition as well as the application, CM-13339-CWP-2023, stand disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

12.9.2023

Ashwani

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No