

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 24.04.2023

1. COCP-2648-2020 (O&M)

Vijay Laxmi and others

... Petitioners

Vs.

Vineet Yadav

... Respondent

2. COCP-2650-2020 (O&M)

Seema Sherawat

... Petitioner

Vs.

Vineet Yadav

... Respondent

3. COCP-169-2021 (O&M)

Sunita and anr.

... Petitioners

Vs.

Vineet Yadav

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Tejpal Dhull, Advocate
for the petitioners.

Mr. Manish Dadwal, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioners allege violation of the order dated 08.07.2020, vide which a direction was issued to the respondent to consider representations of the petitioners regarding option given by them for giving posting in the respective districts, as the persons lower in merit of the petitioners have been posted at the places given by them in their option.

Learned counsel for the petitioners submits that in similar circumstances, in compliance of the order dated 02.11.2019 passed in CWP-31823-2019, the respondents have decided the claim and granted necessary relief to the petitioners in the said case, whereas in the instant case, no action has been taken.

Learned State counsel has placed on record a communication sent by the Director Elementary Education, Haryana to the Advocate General, Haryana dated 24.04.2023 regarding compliance of the order. The contents of this communication read as under: -

“It is mentioned here that above said COCPs are listed for hearing in the Hon’ble High Court for 24.04.2023 Sr. No.218 in Cr. No.41.

It is submitted that the present matter relates to Inder District Transfer of JBTs/PRTs and this Hon’ble Court on 02.06.2022 had disposed of the bunch of the writ petitions i.e. CWP No.14553/2021 titled as Sandeep Kumar & others Vs. State of Haryana & others and other connected matters along with

above mentioned writ petition and in which department had filed short reply by way of affidavit and apprised the Hon'ble High Court how department will initiate the entire process of Inter District Transfer of JBT/PRT who were appointed before 2011 and 2017.

During initiating the process regarding Inter District Transfer, the bunch of writ petition which pertains to appointment of JBT/PRT teachers who were selected against Advt. No.02/2012 decided by the Hon'ble Division Bench on 20.07.2022 for complying the order dated 20.07.2022, the department seek opinion from office of Ld. A.G. Haryana in which A.G. Haryana opined that the entire process of Inter District Transfer/Counseling of JBT/PRT will be initiated after implementation of order 20.07.2022 passed by the Hon'ble Division Bench in LPA NO.912/2016-Paramjit & others Vs. State of Haryana & others. Further it is relevant to submit here that some aggrieved candidates from order of Hon'ble Division Bench filed SLP Diary No.25269, 25446 of 2022 titled as Vikas Kumar & others Vs. State of Haryana & others in the Hon'ble Apex Court which was disposed of by the Hon'ble Apex Court on 13.09.2022. Due to that reasons order of Hon'ble High Court passed on 02.06.2022 in above mentioned CWP could not be implemented.

After compliance of the judgment dated 13.09.2022 passed in above SLP, the matter regarding Inter District Transfer was submitted to the higher authorities for approval. The approval of the Higher Authorities has been received on 13.04.2023. Schedule regarding transfer drive/district allocation of PRT of 2017 batch, will be published shortly within 15 days."

Learned State counsel submits that as requested by the Director Elementary Education, Haryana, needful will be done within a period of 15 days from today.

Accordingly, all these three petitions are rendered as infructuous, with liberty to the petitioners to revive the same, if so required.

A photocopy of this order be placed on files of connected cases.

24.04.2023
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No