

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.18234 of 2023

Date of decision : 22.08.2023

Veena Kumari

....Petitioner

Versus

State of Haryana and Ors.

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Pankaj Middha, Addl.AG, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present petition, the grievance of the petitioner is that vide impugned order dated 19.04.2023 (P.3), she has been transferred from Bhiwani to Jagadhari and the reason for her transfer has been given as “on request”.

Learned counsel for the petitioner submits that neither the petitioner nor any of her family member has ever given request for transfer. Further, as per the petitioner, not only she has been transferred but even the TA & DA as admissible to a transferred employee consequent upon the transfer, has also not been extended to her which is totally arbitrary and illegal. Learned counsel further submits that being an obedient employee though the petitioner joined her post at the transferred place but before joining the station, she has already given a representation dated 01.05.2023 to the respondents, a copy of which has been appended as Annexure P.6 wherein the petitioner brought to the notice of the respondents that there was no request submitted by her for the transfer, hence the impugned order is on wrong facts. Learned counsel for the petitioner submits that thereafter again, a detailed representation was submitted by the petitioner on

07.08.2023 (Annexure P.12), which is still pending consideration with respondent No.2, hence the respondents are under obligation to decide the said claim of the petitioner as to whether the transfer order is based on relevant and valid ground of “on request” or the same is incorrect decision on the part of the respondent, by passing appropriate speaking order on the representation (Annexure P.6).

Notice of motion.

On the asking of the Court, Mr. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, any representation has been received in the office of the concerned authorities and the same is still pending consideration, the same will be decided by the competent authority within a period of six weeks of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the passing of the speaking order, the petitioner is found entitled for any benefit, the same will also be extended to her, expeditiously.

Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

August 22, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable : No