

CWP-22485-2022

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

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Date of decision: 11.01.2023

Kanta

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Chanderhas Yadav, Advocate,
for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for issuance of a writ in the nature of certiorari, quashing the order dated 19.09.2022 (Annexure P-11), vide which representation of the petitioner has been rejected, and the order dated 01.09.2022 (Annexure P-5) vide which the petitioner was again transferred in contravention of the guidelines of the policy dated 13.08.2022.

Learned counsel for the petitioner argues that vide order dated 28.08.2022 passed by the respondents, the petitioner was transferred from Government Senior Secondary School Shilani to Government Senior Secondary School Ahri; that in pursuance of the said order, the petitioner joined her duties, but again vide order dated 01.09.2022, she was transferred from Government Senior Secondary School Ahri to

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Government Senior Secondary School Pelpa, which action of the respondents is totally arbitrary and illegal.

Learned counsel for the petitioner further submits that no one has been posted at the Government Senior Secondary School Ahri, hence, further transfer of the petitioner is bad in law.

On the other hand, learned State counsel submits that the transfer drive dated 01.09.2022 was remedial in nature as the initial drive dated 28.08.2022 suffered from some technical defects, which led to the wrong calculation of merit points of several participants; that the transfer drive dated 01.09.2022 was done on the basis of merit points after removing the earlier technical issues. It is further submitted that the petitioner seeks to be posted at Government Senior Secondary School, Ahri, Jhajjar, but in the said school, there is only one post of TGT Social Studies and due to merger of Govt. Girls Middle School, Ahri, into Government Senior Secondary School, Ahri, on 13.08.2022, the aforesaid post is presently occupied.

I have heard the learned counsel for the parties.

The petitioner was earlier posted as TGT, Govt. Senior Secondary School, Silani, Jhajjar, from where she was transferred to Govt. Senior Secondary School, Ahri, Jhajjar. However later on, the authority concerned noticed that due to merger of Govt. Girls Middle School, Ahri, into Government Senior Secondary School, Ahri, on 13.08.2022, the aforesaid post of TGT was already occupied there, and hence, the petitioner was transferred to Govt. Senior Secondary School, Pelpa, Jhajjar.

Keeping in view the fact of merger of Govt. Girls Middle

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School, Ahri, into Government Senior Secondary School, on 13.08.2022, and the fact that the post of TGT is already occupied there, this Court does not find any merit in the present petition.

Dismissed.

11.01.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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