

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

(126)

CWP-24945-2023

Date of decision: - 06.11.2023

Jagdish

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sukhvir Singh Sahu, Advocate, for the petitioner.

Mr. Amandeep Joshi, DAG, Haryana.

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**VIKAS BAHL, J. (ORAL)**

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the impugned transfer order dated 30.10.2023 (Annexure P-3) passed by respondent No.4-Superintendent of Police, Telecommunication, Haryana, Panchkula qua the petitioner.

2. Learned counsel for the petitioner has submitted that for the grievances of the petitioner, the petitioner has given a representation dated 31.10.2023 (Annexure P-4) to respondent No.4 and has made a limited prayer that respondent No.4 be directed to look into the said representation and in case he finds that the pleas raised by the petitioner are meritorious, then, the necessary relief be granted to him. It is further submitted that in case respondent No.4 finds that the pleas raised by the petitioner are meritless, then, an order be passed on the said representation to which the petitioner undertakes not to challenge any

further as he is aware of the settled proposition of law that it is within the domain of the employer to transfer any employee and transfer is an exigency of service.

3. Learned counsel appearing for respondent No.4 has submitted that respondent No.4 would consider the representation dated 31.10.2023 (Annexure P-4) in accordance with law within a period of three weeks from the date of receipt of certified copy of the present order, subject to the condition that the petitioner as undertaken before this Court by his counsel would not challenge the order of rejection if passed on the said representation dated 31.10.2023 (Annexure P-4).

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to respondent No.4 to consider the representation dated 31.10.2023 (Annexure P-4) filed by the petitioner in accordance with law as expeditiously as possible, within a period of three weeks from the date of receipt of certified copy of this order and in case, respondent No.4 is of the view that the pleas raised by the petitioner are meritorious, then, the necessary relief be granted to the petitioner as expeditiously as possible. In case, respondent No.4 is of the view that the pleas raised by the petitioner are meritless, then, an order rejecting the claim be passed within the aforesaid period of three weeks and as undertaken by learned counsel for the petitioner on behalf of the petitioner, the said rejection would not be open to challenge by the petitioner.

**November 06, 2023**  
naresh.k

**( VIKAS BAHL )**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No