

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

CWP-27563-2023

Date of decision : 08.12.2023

Sonu Kumar

.....Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Jagram Singh Cooner, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing the impugned transfer order dated 15.05.2023 (Annexure P-1) passed by respondent No.2 being wrong, illegal, arbitrary and against Rule 13 of Haryana Chowkidar Rules 2011 (Annexure P-5) as the petitioner was appointed as Chowkidar of Village Liharsa by the Deputy Commissioner, Ambala vide order dated 01.05.2018 (Annexure P-2).

Learned counsel for the petitioner has submitted that petitioner is a poor person who is appointed as Chowkidar in the Village. He submits that at the behest of respondent No.3, he has been illegally transferred to Ambala. He submits that similarly situated Chowkidar are already working in the Village itself whereas the petitioner has been malafidely transferred to Ambala. It has been submitted that in view of the Rule 13 of Haryana Chowkidar Rules 2011, the petitioner cannot be transferred out of the village. He submits that for the redressal of his grievance, the petitioner has already filed representation however, no action has been taken by the official respondents till date.

Notice of motion.

On asking of the Court, Ms. Upasana Dhawan, AAG, Haryana accepts notice on behalf of the respondents-State. She submits that in case the petitioner files representation before Municipal Corporation, Ambala City then the same will be decided as per law.

Heard. After hearing the counsel for the parties and perusing the record, the present petition is disposed of with liberty to the petitioner to file representation for redressal of his grievance before respondent No.2 i.e. Deputy Municipal Commissioner, Ambala City within a week from today. If he files any such representation, then respondent No.2 is directed to look into it and decide the same as per law within four weeks from the date of its filing.

08.12.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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