

116 2024:PHHC:030047
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4599-2024(O&M)
Date of Decision: 04.03.2024

Manoj Kumar

....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. S.K. Dhanda, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *certiorari* for quashing the impugned transfer order dated 16.02.2024 (Annexure P-3) qua the petitioner.

The present petition is filed under Articles 226/227 of the Constitution of India but against a Co-operative Bank. Ordinarily this Court would have considered the maintainability of the present petition particularly when the prayer is for challenging the transfer order. However, the learned counsel for the petitioner has argued that there has been a violation of the provisions of Rights of Persons with Disabilities Act, 2016. Therefore, without going into the maintainability issue and by invoking the provisions of Article 226 of the Constitution of India, this Court deems it fit and proper to dispose of the present petition with a direction to the

Managing Director of the Haryana State Cooperative Agriculture and Rural Development Bank Limited, Panchkula.

Notice of motion.

On the asking of the Court, Mr. Samarth Sagar, learned Additional Advocate General, Haryana accepts notice on behalf of the State of Haryana and states that for the aforesaid limited direction, he has no objection in this regard.

In view of the above, the present petition is disposed of with a direction to the Managing Director of the Haryana State Cooperative Agriculture and Rural Development Bank Limited, Panchkula to examine the case of the petitioner in the light of the provisions of Rights of Persons with Disabilities Act, 2016 and in case there is violation of any provision of the Rights of Persons with Disabilities Act, 2016, then he would re-consider the transfer of the petitioner in accordance with law. Needless to say an order shall be passed within a period of two weeks in this regard which shall be conveyed to the petitioner.

Learned counsel for the respondent shall supply a copy of this order to the Managing Director of the Haryana State Cooperative Agriculture and Rural Development Bank Limited, Panchkula during the course of the day.

04.03.2024

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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