

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

280

CWP-6422-2024 (O&M)
Decided on : 02.04.2024

Anil Malik

...Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. R. N. Lohan, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is with regard to his transfer order which has been issued on 11.03.2024 (Annexure P-1) vide which, the petitioner has been transferred from Panipat (ST) to Gurugram (East) (Insp) (ST).
2. Learned counsel for the petitioner submits that the petitioner is retiring on 31.08.2024 and only six months of service is left, hence, transfer of the petitioner is contrary to the instructions issued by the Government of Haryana dated 07.04.1989, which has been amended vide policy dated 19.11.1998 (Annexure P-2).
3. Learned counsel for the petitioner further submits that the petitioner has been transferred due to General Elections, which are scheduled to be held in the months of April, 2024 and May, 2024 hence, the transfer order dated 11.03.2024 (Annexure P-1) has been challenged by the petitioner in the present petition but the petitioner has already joined the transferred place of posting, hence, the petitioner intends to approach the respondents by way of filing the representation by raising the grievance qua

the transfer order dated 11.03.2024 (Annexure P-1) which is contrary to the instructions issued by the Government of Haryana dated 07.04.1989, which has been amended vide policy dated 19.11.1998 (Annexure P-2) and the respondent be directed to transfer back the petitioner to his parent place of posting after the General Elections are over.

4. Learned State counsel submits that in case any representation is filed by the petitioner qua his transfer vide transfer order dated 11.03.2024 (Annexure P-1) before the authorities concerned, the same will be considered and an appropriate speaking order will be passed by the authority concerned within a period of **eight weeks** from the date of receipt of such representation and in case, the petitioner is found entitled for grant of any relief, the same will be granted to him, otherwise due reasons for not accepting the claim of the petitioner will be mentioned in the speaking order.

5. 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, at this stage, with liberty to file a representation with respondents so as to raise all the claims as raised in the present petition.

6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

02.04.2024
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Whether speaking/reasoned: ~~Yes~~/No
Whether Reportable: ~~Yes~~/No