

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

119

CWP-7134-2024 (O&M)
Decided on : 01.04.2024

Amit Sharma

...Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. R. K. Malik, Senior Advocate with
Mr. Kartikey Chaudhary, 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 16.03.2024 (Annexure P-4) vide which, the petitioner has been transferred from Incharge Pinjore Range to Incharge Jind Range.
2. Learned counsel for the petitioner submits that the said transfer of the petitioner is contrary to the guidelines issued by the Election Commission, hence, the petitioner could not have been transferred.
3. Learned counsel for the petitioner further submits that though, the transfer order dated 16.03.2024 (Annexure P-4) has been challenged in the present petition but the employee who has been transferred at the present place of posting of 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 16.03.2024 (Annexure P-4) which is contrary to the guidelines issued by the Election Commission and the respondent be directed to decide the

claim of the petitioner as expeditiously as possible.

4. Notice of motion.

5. Mr. Tapan Kumar Yadav, DAG, Haryana, who is present in Court, accepts notice on behalf of State of Haryana-respondents

6. Learned State counsel submits that in case any representation is filed by the petitioner qua his transfer vide transfer order dated 16.03.2024 (Annexure P-4) 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.

7. 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.

8. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

01.04.2024

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