

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6958-2024
Date of decision : 27.03.2024

Rekha Devi
.....Petitioner

versus

State of Haryana and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. H.N. Sahu, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of a writ in the nature of certiorari for quashing the impugned letter/order No.2464 dated 14.03.2024 (Annexure P-7) in which respondent No.5, Principal, Government Senior Secondary School, Sector-7 Panchkula denied the petitioner to join as Peon against the vacant post vide transfer order No.4/128-2023 HRME-II(5) dated 12.03.2024 (Annexure P-3) and directing the respondents No.1 to 3 to join the petitioner in GSSS, Sector-7, Panchkula as per representation dated 14.03.2024 (Annexure P-8) and further to join the petitioner with immediate effect in the office of Director, Secondary Education, Shiksha Sadan, Sector-5, Panchkula, during the pendency of the present writ petition.

It has been submitted by the learned counsel for the petitioner that the petitioner had been transferred from her earlier place of posting at Government Girls Senior Secondary School, Mandi Dabwali, District Sirsa to Government Senior Secondary School, Sector-7 Panchkula

against the vacant post. It is submitted that in the transfer order dated 12.03.2024, the same is evident as the name of the petitioner is recorded at Sr. No.6. He submits that in view of the transfer order dated 12.03.2024, the petitioner was relieved from the Government Girls Senior Secondary School, Mandi Dabwali, District Sirsa, but surprisingly she has not been allowed to join at the place of posting at GSSS, Sector-7 Panchkula. He submits that the petitioner before this Court is a Widow, who was subjected to unnecessary harassment by the respondent-authorities. He submits that having no other alternative, the petitioner filed the representation dated 14.03.2024 (Annexure P-8) for the redressal of her grievances to the Director, Directorate of Secondary Education, Sector-5, Panchkula, however, no action has been taken on the same till date. He submits that Government Senior Secondary School, Sector-7 Panchkula is not the only School in which there are vacant posts but in other Schools also i.e. in Sector-12/A and Sector-20 Panchkula as well as in Office of Director, Directorate of Secondary Education, Shiksha Sadan, Sector-5 Panchkula, there are vacant posts and in the peculiar facts and circumstances, the petitioner could have been adjusted but the authorities have taken no decision.

Notice of motion.

On the asking of the Court, Mr. Rajneesh Chadwal, A.A.G., Haryana accepts notice on behalf of the respondents-State.

In the facts and circumstances, it is apparent that the petitioner has been transferred without verifying the actual position at the place of posting.

In view of the facts and circumstances and the arguments raised by the learned counsel for the petitioner before this Court, the

present petition is disposed of with direction to respondent No.2-Director, Secondary Education, Shiksha Sadan, Sector-5 Panchkula to decide the representation dated 14.03.2024 (Annexure P-8) filed by the petitioner within three days from today by passing a speaking order.

27.03.2024
ps-I

(RAJESH BHARDWAJ)
JUDGE

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