



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

120

CWP-16023-2024

Date of Decision: 15.07.2024

Dr. Ajay Balhra

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Rakesh Nehra, Senior Advocate with
Mr. Sauhard Singh, Advocate and
Mr. Rupender Singh, Advocate for the petitioner

Mr. Ravinder Singh Budhwar, Addl. AG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order dated 09.07.2024, Annexure P-8, repatriating the petitioner from the post of Programme Officer, PGT (MIS) in the office of the Director Secondary Education.

2. Learned senior counsel contends that the impugned order of repatriation and the consequent adjustment of petitioner at Government Senior Secondary School, Maroli, District Mahendergarh, is *mala fide*. It has been passed only on instructions of the Minister concerned, as apparent from his note, Annexure P-5, mentioning '*I would like that he, may be re-patriated immediately*'. Otherwise, there was no administrative reason to repatriate the petitioner. He had been duly selected for the post of Programme Officer vide

office order dated 06.12.2016, Annexure P-1, and was working as such since then. The Department has not carried out general transfers so far, and the petitioner has been singled out for extraneous reasons.

3. Learned counsel further contends that as per instructions, the petitioner is willing to participate in the next transfer drive as and when notified.

4. In this view of the matter, learned State counsel, appearing on advance notice, on instructions, contends that the impugned order dated 09.07.2024, shall not be given effect to.

5. The petition, accordingly, stands disposed of in terms of the statements made by learned counsel for the parties.

15.07.2024

Payal

Whether speaking/reasoned

Whether reportable

(TRIBHUVAN DAHIYA)

JUDGE

Yes/No

Yes/No