



CWP-21816-2024

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

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Date of decision: 02.09.2024

Bhupender Ahlawat

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. P.K. Ganga, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

AMAN CHAUDHARY, J. (Oral)

1. Learned counsel would contend that the petitioner has been transferred from Chandigarh to Rewari, vide impugned order dated 28.06.2024, Annexure P-8, whereupon he had submitted a detailed representation dated 05.07.2024, Annexure P-4, requesting for cancellation thereof by taking various grounds including that of being a couple case; father is a heart patient and under treatment of PGI; mother having undergone spine surgery at MAX Hospital, requiring regular follow-up; documents whereof have been appended to the present petition as Annexure P-3. Even the Principal Secretary of Transport Department, where he is working, had vide D.O. dated 09.07.2024, Annexure P-9, requested for cancellation of the orders, however without referring to any of the grounds taken or the aforesaid letter, the representation was filed on 02.08.2024, Annexure P-5. No one, vide impugned order has been transferred in his place, however subsequently vide order dated 29.08.2024, Annexure P-7, one Raj Kumar, District Attorney has been ordered to be transferred in his place, however has not joined and would



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also not be able to, the same being passed during the operation of Model Code of Conduct w.e.f. 16.08.2024 and even in violation of instructions of the Election Commission of India. Be that as it may, the petitioner has not been relieved till date. He, thus, prays that the matter be reconsidered by the respondents by granting him an opportunity of hearing and the impugned order be stayed in the meantime.

2. Learned State counsel, on instructions from Mr. Suman Jindal, DA, o/o Additional Chief Secretary, Home Department, Haryana, submits that the respondents would not be averse to having a relook at the matter, keeping in view the grounds taken in representation and the submissions made hereinabove and pass a fresh order in accordance with law after granting an opportunity of hearing to the petitioner.

3. Disposed of accordingly.

4. Till the decision is taken on the representation, the petitioner shall not be relieved.

5. Copy of the order be furnished to the learned counsel for the petitioner as also the learned State counsel, under the signatures of the Bench Secretary for necessary compliance.

(AMAN CHAUDHARY)
JUDGE

02.09.2024
Hemant

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