



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

114

CWP-11902-2025

Date of Decision: 19.05.2025

SACHIN KUMAR

... Petitioner

VERSUS

THE STATE OF HARYANA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Jagbir Malik, Advocate and Mr. Shivam
Malik, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Seeking setting aside of the Transfer Order dated 25.04.2025 (Annexure P-11) passed by respondent No.2 to the extent vide which the petitioner has not been transferred from his current allocated posting despite the passage of more than five years and in violation of the mandate laid down in Clause 6 of the Online Transfer Policy dated 01.06.2022, the instant petition has been filed.

Learned counsel for the petitioner had argued on the previous date that the petitioner is working on the post of Assistant/Transport Inspector in the respondent-Department and has been posted in the office of Transport Commissioner, Haryana since 03.01.2020. It was further stated that the Government of Haryana had notified the Online Transfer Policy in exercise of the power conferred under Article 309 of the Constitution of India on 01.06.2022 to streamline the transfers and postings and to ensure the equitable distribution of employees of Transport Department in a rationalized manner. It was also

contended that Clause 6 of the Online Transfer Policy prescribes the maximum tenure of posting at one station to not exceed a period of three years. He had further contended that notwithstanding that the petitioner having completed more than the said maximum period of stay at his present place of posting, the same was to be held as a valid ground for transfer and the incumbent on such post had to be mandatorily transferred. He submits that notwithstanding the said Clause of the Transfer Policy, the respondents issued the transfer order but did not order the transfer of the petitioner.

On hearing the matter, the learned State Counsel was asked by this Court to complete instructions in the matter.

Today, on resumed hearing, the State Counsel, on instructions from Jasbir Singh, Assistant Office of Transport Commissioner, Haryana Chandigarh, has informed that the manual transfer approval of the petitioner has already been granted and the posting orders shall be issued shortly and, in any case, not later than three weeks from today.

In view of the aforesaid statement, made by the State Counsel, the present writ petition has been rendered as infructuous.

Order accordingly.

Needless to mention that the respondents shall remain bound by the statement made today in Court for issuing transfer and posting orders of the petitioner within the time framed as stipulated above.

MAY 19, 2025.

Rajender

**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No