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

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**CWP-15831-2025 (O&M).
Date of Decision: 28.05.2025.**

NARESH KUMAR SHARMA

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

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

Present: Mr. Amit Parashar, Advocate,
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

Challenging the order of transfer dated 23.05.2025 whereby the petitioner has been transferred against respondent No.4 and vice versa, the instant writ petition has been filed.

2 Learned counsel for the petitioner contends that the petitioner is due for superannuation within a period of one year and as per statutory provisions, a person who is due for superannuation within a period of one

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year is not to be transferred from his present place of posting. He contends that the aforesaid aspect has not been taken into consideration by the respondents while passing the impugned order of transfer. It is submitted that at this juncture the petitioner would be satisfied in case a direction is issued to the competent authority to decide the claim of the petitioner in reference to the specific rules and by passing a reasoned and speaking order in accordance with law and in a time bound manner.

3 Notice of motion.

4 Mr. Tapan Kumar, DAG, Haryana, accepts notice on behalf of the respondents and submits that he has no objection to the aforesaid prayer being granted.

5 Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present writ petition is disposed of with a direction to the respondent No.1-Additional Chief Secretary to Government of Haryana, Public Works (B&R) Department, Haryana, to decide the claim raised by the petitioner in the present writ petition by treating the same as a representation and to pass a speaking and reasoned order thereupon in accordance with law within a period of four weeks from the date of receipt of a certified copy of this order and a copy of present petition along with accompanying Annexures.

6 In the meanwhile, the impugned order of transfer dated 23.05.2025 shall be kept in abeyance till a decision is taken on the request of the petitioner and for a period of one (01) week thereafter to enable the

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petitioner to take recourse to the appropriate remedy in the event of the same being passed to the prejudice of the petitioner.

May 28, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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