

2025:PHHC:075541



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

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CWP-17164-2025
Date of Decision: 05.06.2025

RAJBIR SINGH

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Mahavir Singh Sharma, Advocate
for the petitioner.

Mr. Rahul Dev, Addl. A.G., Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the order dated 30.05.2025 (Annexure P-18) passed by Principal Secretary to Government of Haryana, School Education Department, Chandigarh.

Learned counsel for the petitioner contends that the petitioner is a Postgraduate Teacher (PHE) Physical and Health Education Lecturer and was transferred from Panipat to Sonipat on 25.08.2023. He noticed certain financial irregularities being committed by the staff, whereupon a complaint was sent by him to Asstt. Director General of Police (Prevention of Corruption Bureau), Panchkula highlighting the said financial irregularities. He also made a request to his senior officers for his transfer to some other place to avoid the repercussions of having highlighted the said issue. He contends that the respondents have now maliciously imposed the impugned transfer order which is punitive in nature by posting the petitioner at Mahendergarh which is more

than 140 kilometers away from his present place of posting, notwithstanding that wife of the petitioner is posted in Gohana being a Lady Constable with the Haryana Police. It is submitted that the respondents have not taken into consideration the provisions of transfer in matter of 'couple case' while passing the impugned transfer order and the same has been passed ignoring Rule 4(ii)(4) of the Haryana Government Gazette Notification. He submits that he would be satisfied at this juncture in case the respondents are directed to treat the present writ petition as a representation and take an appropriate decision thereupon in a time bound manner while considering all the relevant circumstances including the instructions issued by the respondent-Department before passing an order of transfer.

Notice of motion.

Mr. Rahul Dev, Addl. A.G., Haryana accepts notice on behalf of the respondents and contends that there were certain complaints pertaining to the functioning of the school by rival parties, whereupon the persons who were involved in the same have been transferred to different places. He, however, does not dispute that special consideration is required to be undertaken in matter of 'couple case' and there is no such consideration in the matter of the petitioner. He also does not have any objection to the prayer made by the counsel for the petitioner.

Accordingly, in view of the above; with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.2 – The Principal Secretary to Government of Haryana, School Education Department, Chandigarh to treat the present writ petition as a representation and to consider and decide the same by

passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of one month of the receipt of certified copy of this order.

The impugned order of transfer shall be kept in abeyance until the decision is taken by the respondents and for a further period of ten days, if the decision does not favour the petitioner.

Petition stands disposed of accordingly.

JUNE 05, 2025.

Rajender

**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No