



CWP-17256-2025 & CWP-17319-2025

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

107 (2 cases)

CWP-17256-2025

Date of Decision: 04.07.2025

Mukesh Kumar and others

...Petitioners

Versus

Dakshin Haryana Bijli Vitran Nigam Limited and others

...Respondents

And

CWP-17319-2025

Vikash and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Sunil Kumar Nehra, Advocate,
Mr. Arjun Dosanj, Advocate,
Mr. Rahil Mahajan, Advocate,
Mr. Viren Nehra, Advocate and
Ms. Meghna Nehra, Advocate for the petitioners
(in CWP-17256-2025)

Mr. Diwan Singh Adlakha, Advocate for the petitioners
(in CWP-17319-2025)

Mr. Sanjeev Kaushik, Additional Advocate General, Haryana
also appearing as counsel for respondent-DHBVNL

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from CWP-17256-2025.



2. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of transfer orders dated 03.06.2025 (Annexures P-9 & P-10).

3. On 01.07.2025, this Court passed the following order: -

“Inter alia contends that as per transfer policy dated 15.06.2022 issued by respondent in exercise of power conferred by Section 179 of Companies Act, 2013 and Article 67 of Articles of Association, the respondent has to consider vacancy position as on 31st March of calendar year. The respondent while passing impugned order of transfer has considered 30.11.2024 as cut off/qualifying date whereas it should be 31.03.2024. The tentative list was issued in January’ 2025 and final list has been issued on 03.06.2025. The petitioners are holding post of LDC. They are having minor school going children. They have got their children admitted at their present place of posting. They have already deposited school fee. As their monthly salary is Rs.45,000/-, they cannot get their kids admitted at transferred place of posting. They cannot even bear cost of two kitchens, thus, impugned order of transfer needs to be quashed.

Mr. Sanjeev Kaushik, Addl. A.G., Haryana who on advance notice is present in Court, filed written statement on behalf of respondents in CWP-17256-2025.

Mr. Sunil K. Nehra, Advocate seeks short accommodation to go through the written statement and address the arguments.

Adjourned to 04.07.2025.

Photocopy of the order be placed on the file of connected case.”

4. On being confronted with the fact that impugned transfer order has been passed on 03.06.2025 and by said date the petitioners must have got their children admitted in the schools, thus, transfer order is going to



adversely affect them financially as well as mentally, Mr. Sanjiv Kaushik, learned State counsel submits that petitioners may be directed to file representation jotting down their grievances which shall be considered by the competent authority sympathetically and constructively.

5. Mr. Sunil Kumar Nehra and Mr. Diwan Singh Adlakha, learned counsel for the petitioners agree with the aforesaid arrangement.

6. In the wake of statement of both sides, the petitions stand disposed of with liberty to the petitioners to file representation before competent authority. In the event, such a representation along with supporting documentary evidence, is filed within one week from today, the competent authority shall consider the same and pass an appropriate order within two weeks thereafter. Till the passing of such order, the petitioners shall not be relieved. The petitioners who have already been relieved subsequent to the filing of the present petitions shall not be compelled to join at their transferred place of posting until a decision is taken on their representation by the competent authority.

(JAGMOHAN BANSAL)
JUDGE

04.07.2025

Mohit Kumar

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