



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

126

CWP-19119-2025
Date of decision: 11.07.2025

BHARTI

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present: - Mr. Sandeep Sharma, Advocate with
Mr. Rohan Moudgil, Advocate
for the petitioner.

Mr. R.D. Sharma, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present writ petition is for setting aside the impugned order dated 18.04.2025 qua the petitioner vide which she has been transferred from Rohtak to Chandigarh contrary to the policy dated 28.08.2023.

2. Learned Counsel appearing on behalf of the petitioner *inter alia* contends that as per the transfer policy notified by the respondents dated 28.08.2023, a merit criteria for allotment of post had been prescribed in Clause 5 thereof. The employee earning highest points is entitled to be posted against a particular vacancy. He refers to the transfer posting chart to



contend that even though persons with lower marks have been suitably adjusted by the respondents at nearby stations, however, the petitioner has been ordered to be transferred from Rohtak to the office of the Labour Commissioner, Haryana at Chandigarh. He contends that the other posts at the office of the Assistant Labour Commissioner, Rohtak are still lying vacant inasmuch as Jagmohan (blind) Clerk who has discharging the functions in the office of the Assistant Director Industrial Safety & Health, Rohtak while his pay was being drawn against a vacant post of Assistant with the Headquarter at Chandigarh.

3. Counsel for the respondent-State contends that the petitioner has not made any representation with respect to her preferred choice of stations and that in the event of such a representation being submitted, the Department shall take a considered view.

4. The averments noticed above, are however not denied or disputed even though officials from the Department are present to assist the State Counsel.

5. Under the given circumstances, this Court feels that *prima facie* there has been disregard to the transfer policy of the respondent-State itself. Consequently, the instant writ petition is disposed of with a direction to the respondent No.2- Labour Commissioner, Haryana to treat the instant writ petition as a representation and to pass a reasoned and speaking order thereupon after considering the averments contained in the writ petition within a period of two months of receipt of certified copy of this order.



6. In the meanwhile, the impugned order of transfer shall be kept in abeyance till expiry of the aforesaid period or till a decision is made on the writ petition, whichever is earlier.

JULY 11, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No