



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121

CWP-3202-2026

Date of Decision: 25.02.2026

ASHOK KUMAR

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Anurag Goyal, Senior Advocate with
Mr. Nikhil Lather, Advocate and Mr. Siddharth Sharma, Advocate
for the petitioner.

Ms. Tanushree Gupta, Senior Deputy Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order dated 28.01.2026, Annexure P-4, whereby the petitioner has been transferred from Rohtak to Khol, Rewari as Block Education Officer (BEO) statedly in violation of the Model Online Transfer Policy (for short, 'the Policy'), dated 23.05.2025.

2. On 04.02.2026, the following order was passed:

It is, *inter alia*, contended that the petitioner was promoted along with other employees as Block Education Officer (BEO), vide office order dated 13.01.2026, Annexure P-1, and was posted at Rohtak against a vacant post. Pursuant thereto, he joined there by submitting joining report dated 19.01.2026, Annexure P-2. Subsequently, the Department issued another office order dated 27.01.2026, Annexure P-3, partially modifying the earlier order dated 13.01.2026, whereby, in respect of eleven promoted BEOs, their places of posting were changed subject to the condition that the promotees against whom they were posted had not joined there. On the very next day, another office order dated 28.01.2026, Annexure



P-4, was issued by the Government, whereby the petitioner was posted as BEO Khol, Rewari against the fourth respondent, who was earlier posted at Rewari but had not joined there. The fact of the petitioner having already joined at Rohtak was not taken into account, despite the issuance of the office order dated 27.01.2026. After joining of the petitioner, any change in his place of posting would amount to transfer, which can only be effected in terms of the notification dated 23.05.2025, whereby the Model Online Transfer Policy for Government employees has been notified. It is also contended that the petitioner's transfer is not in terms of clause 6(iii) of the said Policy.

2. Learned State counsel, appearing on advance notice, seeks an adjournment to get instructions.

3. Adjourned to 06.02.2026.

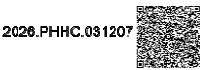
3. After getting instructions, learned State counsel made a statement that the cadre of BEO has been excluded from the purview of the Policy. It is recorded in the order dated 06.02.2026, which reads as under:

Learned State counsel, on instructions, submits that the cadre of Block Education Officer (BEO) has been excluded from the purview of Model Online Transfer Policy in terms of notification dated 30.09.2025. She further submits that respondent no.4 was transferred as BEO, Rohtak, against the petitioner only on sympathetic grounds as she is suffering from cancer. The representation for the purpose was received from her on 15.01.2026.

2. In these circumstances, learned senior counsel fairly submits that the Department should consider posting the petitioner back as BEO, Rohtak, after the retirement of respondent no.4 from the service which is due on 30.06.2026.

3. Learned State counsel seeks an adjournment to get instructions in that regard.

4. Adjourned to 11.02.2026.



4. Today, on the basis of instructions received from the first respondent/Additional Chief Secretary to Government of Haryana, vide memo dated 25.02.2026, which is retained on the case file as Annexure ‘A’, learned State counsel contends that as per the latest decision taken by the Government, cadres of Deputy District Education Officer and BEO have been included under the Policy. Therefore, the petitioner cannot be considered for being posted back as BEO, Rohtak. She, however, is not in a position to dispute that the transfer drive has not been initiated as of now, nor has any decision been taken as to when it is to be scheduled.

5. In view thereof, the petition is disposed of directing the respondents to consider posting the petitioner back as BEO, Rohtak, with effect from the date of retirement of respondent no.4, i.e., 30.06.2026. Appropriate order in this regard will be passed at least two weeks prior to that date. He will participate in the transfer drive as and when scheduled.

(TRIBHUVAN DAHIYA)
JUDGE

25.02.2026
Ad

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>