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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-35680-2025

Date of Decision :27.01.2026

Benu Bajaj

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Abhinav Sood, Advocate and
Ms. Achintaya Soni, 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 06/13.10.2025, Annexure P-8, whereby the petitioner, who is working as Principal in Government Polytechnic, Nilokheri, has been transferred to Government Polytechnic Sadhaura.

2. Challenge to the transfer order dated 06/13.10.2025, Annexure P-8, is on the ground that it is in violation of the Transfer Policy dated 16.03.2006, Annexure P-12. During the course of hearing on 01.12.2025, the following order was passed:

It is *inter alia* contended that the petitioner was promoted as Principal vide order dated 06.03.2025/11.03.2025, Annexure P-7, and joined as such at Government Polytechnic, Nilokheri(Karnal), where she was earlier working as Head of the Department. Her husband was also working in the same institute as Senior Lecturer. In terms of the transfer policy, dated 16.03.2006, Annexure P-12, officers above fifty-five years of age are required to be posted at the place of their choice provided their work and conduct is good,



subject to availability of vacant post. There is nothing adverse against the petitioner so far her work and conduct is concerned and the post at Nilokheri is also available. Still she has been transferred to a different polytechnic at Sadhaura, vide impugned order dated 06.10.2025, and her husband has been posted at Umri, Kurukshetra, which is in violation of the policy.

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

3. Adjourned to 15.12.2025.

3. In furtherance of order dated 01.12.2025, learned State counsel had received instructions dated 19.12.2025 from the Government and on hearing the matter on 14.01.2026, the following order was passed:

Learned counsel for the petitioner contended that the grounds for transferring the petitioner from Government Polytechnic, Nilokheri, to Government Polytechnic, Sadhaura, Yamuna Nagar, as reflected in the instructions dated 19.12.2025, is not sustainable. It is because the petitioner's husband has already been exonerated in relation to the charge sheet dated 15.03.2022, and the fact has been recorded in the order dated 25.09.2025, passed in CWP-25223-2025 titled Asheet Bajaj v. State of Haryana and others. In terms therewith, the Reconciliation Committee was to conclude its proceedings within three months. It stands concluded, and the report has been submitted to the Department in December, 2025. He further contends, while transferring the petitioner the Government did not consider her entitlement to posting at a place of her choice in terms of clause 5 of the Transfer Policy dated 16.03.2006, since she is over 55 years of age. Also, she is entitled to the benefit of couple case under clause 6 of the policy since her husband is working as Senior Lecturer in Umri and she can be posted there or to any nearby station, Nilokheri or Ambala, as the proceedings are already over.



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

Adjourned to 27.01.2026.

4. Learned State counsel, on instructions, submits that in case a fresh representation is submitted by the petitioner within a week, her case for transfer would be forwarded to the Government for reconsideration in the light of Clause 5 and 6 of the Transfer Policy, and a decision thereupon will be taken within a period of four weeks of receiving the representation.

5. In view of the statement made, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.

6. Ordered accordingly.

January 27, 2026

ps

(TRIBHUVAN DAHIYA)
JUDGE

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