



105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-37225-2025 (O&M)

Date of Decision : 08.04.2026

Sushila Kumari

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Rohit Shukla, Advocate,
Mr. Vivek Kumar Gaurav, Advocate and
Mr. Sunil Prajapate, Advocate for the petitioner.

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

TRIBHUVAN DAHIYA, J. (ORAL)

CM-5289 of 20260

Application is allowed and the amended memo of parties is taken on record.

Main case

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing respondent no.3 to decide the petitioner's complaint as per provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (for short, 'the 2013 Act') by forming an Internal Complaints Committee. Further, a direction has been sought to transfer the petitioner, who is working as Post Graduate Teacher (PGT) Hindi, to any other school as per mandate of Section 12 of the 2013 Act.

2. Learned State counsel has received instructions from Director General, Secondary Education, vide memo dated 07.04.2026, a copy whereof has been retained on the case file as Annexure 'A'. Referring to the same, she submitted that the complaint was examined by the Internal Complaints

Committee constituted under Section 4(1) of the 2013 Act by the District



Education Officer concerned and a report dated 12.08.2025 was submitted. However, the petitioner was not satisfied with the findings and represented against it to the Directorate seeking *de novo* inquiry. Considering those representations, the matter has been submitted for re-examination to the committee constituted under the 2013 Act at the Directorate level and appropriate decision on the complaint will be taken in accordance with law within a period of three months.

3. In view of the statement made, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof, with a direction to the respondents to consider transferring the petitioner, who is working as PGT (Hindi), to some other school.

4. Learned State counsel submits that in case the petitioner submits a representation seeking transfer on account of pending inquiry on her complaint to Director General, Secondary Education within two weeks, the same will be considered and appropriate decision will be taken in the light of law within four weeks therefrom.

5. The petition, accordingly, stands disposed of.

6. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹50,000 to the petitioner.

April 08, 2026

ps

(TRIBHUVAN DAHIYA)
JUDGE

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