
(2023) 02 SHI CK 0032
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 679 Of 2023

Anil Kumar

APPELLANT

Vs

Himachal Pradesh Road Transport Corporation And Another

RESPONDENT

Date of Decision : 15-02-2023

Acts Referred:

Citation : (2023) 02 SHI CK 0032

Hon'ble Judges : Satyen Vaidya, J

Bench : Single Bench

Advocate : Surinder Saklani, Sanjay Dalmia,. Vikas Rajput, Satyen Vaidya

Final Decision : Disposed Of

Judgement

Satyen Vaidya, J)

1. Notice. Mr. Sanjay Dalmia, learned counsel, appears and waives service of notice on behalf of the respondents.
2. The precise grievance of the petitioner is that the impugned order of transfer dated 4.2.2023 (Annexure P-1) has caused him hardship on account of reasons, firstly that he is due to retire in February, 2025 and, secondly, his daughter is a student of B.Sc. Final Year in Government Degree College, Hamirpur and his son is a student of 10th Class, who is also undergoing his studies at Hamirpur. The transfer of the petitioner has been effected in the mid academic session.
3. Petitioner has made out a prima facie case of hardship, however, it is a settled preposition of law that the cases of hardship of employees are to be looked into by the employer. In this view of the matter, petitioner is permitted to make a representation to respondent No.1 within three days from today and on such representation being made, respondent No.1 is directed to decide the same within one week thereafter. In case, petitioner fails to make any representation within three days, this order shall have no effect. In order to maintain the equity, it is further ordered that till the final decision on the representation of the

petitioner, the impugned order of transfer dated 4.2.2023 (Annexure P-1) shall not be given effect.

Petition is accordingly disposed of, so also, pending application(s), if any.