

(2020) 09 P&H CK 0111

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 13027 Of 2020 (O&M)

Subedeem And Another

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 21-09-2020

Acts Referred:

Citation : (2020) 09 P&H CK 0111

Hon'ble Judges : Arvind Singh Sangwan, J

Bench : Single Bench

Advocate : Gaurav Gupta, Sumit Jain

Final Decision : Disposed Of

Judgement

Arvind Singh Sangwan, J

Prayer in this writ petition is for quashing the order dated 17.08.2020 vide which the petitioners have been transferred from Faridabad Depot to Rohtak Depot in violation of the online transfer policy (Annexure P2).

The only averment raised in the petition is that the transfer of the petitioners is not made as per the policy notified by the State of Haryana.

A perusal of the policy show that under Clause 8(xiv), a remedy is provided to an aggrieved employee to make a representation to the competent authority. Clause 8(xiv) of the Policy, reads as under:-

"8. Procedure to be adopted:

(i) to (xiii) XXXXXXXXXXXXXXXX

(xiv) Within 15 days of issuance of orders, the employees aggrieved with the transfer process can represent to the department after joining at new place of posting, on a grievance redressal forum to be provided by the department in this behalf. Their representation will be considered in accordance with the policy and appropriate decision will be conveyed to them as deemed fit."

Counsel for the State has referred to certain orders passed by this Court in CWP Nos.13907, 13602 and 14207 of 2020, wherein this Court in similar circumstances has directed the petitioner(s) to avail the remedy available under the policy itself.

Accordingly, this petition is disposed of with a direction to the petitioners to make a representation to the competent authority and the same will be decided expeditiously within a period 01 month from the date of filing of the representation, after affording an opportunity of hearing to the petitioners.