



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CWP-7863-2025

Date of decision: 26.03.2025

RAKESH KUMAR

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Sanchit Punia, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The instant writ petition has been filed seeking issuance of directions to the respondents to transfer the petitioner's data from Human Resource Management System (HRMS) to Government Veterinary Hospital, Bhalki Majra, District Rewari and release salary of the petitioner alongwith interest which has not been released since August, 2024.

2. Learned Counsel appearing on behalf of the petitioner had submitted before this Court that the petitioner is working on the post of Veterinary Surgeon in Animal Husbandry and Dairying Department, Haryana. The State had adopted a practice to transfer its employees through Online Transfer Policy vide instructions dated 13.02.2020 issued to all the Departments by the office of Chief Secretary, Haryana.

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The Veterinary Surgeons who were aggrieved of the provisions of the Transfer Policy approached this Hon'ble Court vide *CWP-7539 of 2023* titled as “*Association of Veterinary Surgeons versus State of Haryana and others*” which was disposed of by issuing directions to the State. In compliance thereto, vide letter dated 17.04.2023, the respondents granted benefit of 5 marks to male Veterinary Surgeons, whose spouses are working in any Department/Board/Corporation. Since the petitioner's wife is working as a Guest Lecturer in Government Polytechnic Lisana, Rewari, the petitioner was entitled to 5 points/marks under the head of couple case. However, notwithstanding the same, the profile of points did not reflect 5 marks to which the petitioner was entitled under the said Head. The petitioner submitted a representation to the respondents on 29.02.2024 but no decision was taken thereupon and instead, the respondents ordered transfer of the petitioner on 01.03.2024. The said order of Transfer was challenged by the petitioner vide *CWP-5691 of 2024*. Vide the order dated 12.03.2024, the said writ petition was disposed of with a direction to the respondents to take a decision on the pending representation. In compliance thereto, the respondents transferred the petitioner from Government Veterinary Hospital, Sanoli Khurd, District Panipat to Government Veterinary Hospital, Bhalki Majra, District Rewari vide order dated 16.08.2024. The petitioner relinquished the charge regarding said place of posting. He contends that as per the established procedure, the respondents were required to transfer the Human

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Resource Management System Data to Government Veterinary Hospital, Bhalki Majra, District Rewari for release of the salary, however, despite repeated requests, the respondents have failed to transfer the HRMS data to the Government Veterinary Hospital, Bhalki Majra, District Rewari. A representation was submitted by the petitioner followed by a reminder, however, the needful has not been done. As a consequence thereof, even the salary has not been released to the petitioner since August, 2024. The petitioner thus instituted the present writ petition.

3. When the matter came up for hearing on 20.03.2025, the State Counsel was directed to complete instructions as to what impeded the transfer of the said data.

4. On resumed hearing, the State Counsel has informed that on instructions from Mr. Sandeep Sharma, Under Secretary with Mr. Sohan Lal, Assistant from the Office of Additional Chief Secretary, Animal Husbandry and Dairying Department, Haryana, that the file has already been put before the competent authority under the HRMS for transfer of the data and the needful shall be done within a period of three weeks and the admissible salary shall be released in favour of the petitioner within a period of two weeks thereafter.

5. It is made clear in the event the Data is not transferred from the HRMS portal to Government Veterinary Hospital, Bhalki Majra, District Rewari within a period of three weeks as aforesaid, the competent authority under the HRMS shall be liable to pay a cost of Rs. 50,000/- to be paid to the petitioner. Further in the event of the

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salary not being released in favour of the petitioner within a period of four weeks from today, the Drawing and Disbursing Authority in the Department of Animal Husbandry and Dairying Department, Haryana shall be liable to pay a cost of Rs. 50,000/- to be deposited with the "Poor Patients Welfare Fund" of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh". The Government, shall be, at liberty to recover the said costs from the erring officials.

The present writ petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

MARCH 26, 2025*Vishal sharma*

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