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

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Date of Decision: 12.05.2025

MAHIPAL SINGH

..... PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. K.L. Saini, Advocate
for the petitioner.

Ms. Tanushree Gupta, Deputy Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *mandamus* directing the respondents to grant/release the benefits of additional ten per cent of the basic pay along with dearness allowance to the petitioner in terms of clause 11 of the Teachers Transfer Policy, 2016 (amended from time to time).

2. Learned counsel for the petitioner contends that the petitioner was serving as TGT at Shaheed Sujjan Singh Yadav Government High School, Musepur, District Rewari, since 08.09.2017. He was promoted as PGT vide office order, dated 31.05.2023, and transferred to Government Senior Secondary School, Uttarwar, District Palwal, where he joined duties



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on 08.06.2023. The teachers posted in Palwal district are entitled to benefits in terms of clause 11 of the Teachers Transfer Policy since it is a remote area.

3. Learned State counsel, on instructions, does not dispute the facts aforementioned. She, however, contends that the petitioner's posting at Palwal is a temporary posting after promotion. Accordingly, he would not be entitled to benefits under the Policy.

4. The only objection to grant of benefits to the petitioner under the Policy is that he is on a temporary posting at Palwal. The petitioner has remained posted there since 08.06.2023, i.e., for about two years now which cannot be termed temporary. The order does not state so. Had it been a temporary posting, he would have been transferred to a permanent place within a reasonable time therefrom, which has not been done. Also, there is no denying the fact that he is actually working in the remote area. All this entitles him to the benefits under clause 11 of the Policy.

5. In view thereof, the petition is allowed, and the respondents are directed to release all the benefits to the petitioner under clause 11 of the Policy within a period of four weeks from today, and the arrears thereof shall be paid with interest at the rate of six per cent per annum from the due date till the date of payment.

(TRIBHUVAN DAHIYA)
JUDGE

12.05.2025

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Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*