

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

C.W.P No. 1004 of 2015 (O&M)

Date of decision : May 14, 2015

Tashvir,

..... Petitioner

v.

Director General, CISF and others,

..... Respondents

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**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI**

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Present : Mr. Munish Jolly, Advocate  
for the petitioner.

Ms. Anita Balyan, Advocate  
for the respondents.

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1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

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**Ajay Tewari, J (Oral)**

**CM No.6442 of 2015**

This application is allowed and the replication is taken on record.

**CWP No.1004 of 2015**

The petitioner has challenged the order dated 14.1.2015 (Annexure P-5), vide which the petitioner has been transferred from CISF Unit RGTPP Khedar to 6<sup>th</sup> Reserve Battalion, Deoli, District Tonk, Rajasthan.

It is alleged that there are two policies which have been

violated. The first is that the normal tenure is three years, whereas the petitioner has spent only about one year at Khedar. The second is that for those personnel who are in medical category, option of place has to be sought. The third argument is that this transfer has been made only because the petitioner had made a complaint against the Company Commander.

Taking the second argument first, the respondents have stated that the petitioner has been categorized as S1H1A3P(2)PS(P)E1 and even in his proposed place of posting, he would not be put to any strenuous duty. As regards the question of option that has to be taken from only those who are HA and HB categories and that too after they have served in the unit for five years. The petitioner is not strictly covered by those instructions.

As regards the first argument, it is also mentioned that the tenure of three years is a normal tenure. Before having been posted to Khedar, the petitioner was posted in Panipat from 1<sup>st</sup> April 2010 to 9<sup>th</sup> June 2014 and since he belongs to Hisar in Haryana, he had enjoyed a good spell in his home State of Haryana.

As regards the third argument, it has been pointed out that pursuant to the complaint of the petitioner, action was taken and advisory warnings were issued both to the petitioner as well as to the Company Commander. No other point has been raised.

In these circumstances, I am not persuaded to interfere in the impugned transfer order. Consequently, this writ petition is dismissed being devoid of merit.

**( AJAY TEWARI )**  
**JUDGE**

**May 14, 2015**  
**`kk'**

