

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

CWP No.13324 of 2015
Date of decision: 07.07.2015

Pardaman Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Vikas Singh, Advocate for the petitioner.

1. Whether reporters of local papers 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?

ARUN PALLI J. (Oral)

What has been assailed in the petition in hand is the order of transfer i.e. dated 30.06.2015 (Annexure P2) of the petitioner from Ludhiana to Jalandhar. Petitioner is engaged as District Ayurvedic and Unani Officer in the Department of Health and Family Welfare, Punjab. He attained the age of superannuation on 28.02.2015. However, pursuant to an order dated 18.02.2015 (Annexure P1), he has been granted extension for a period of one year beyond the date of his retirement and this is how, he is continuing in service. Vide order being assailed, he has been transferred from Ludhiana to Jalandhar to provide better health services and of course in public interest vice respondent No.2. Concededly, petitioner has served for over three years at Ludhiana since 2012. Pursuant to the order of transfer (Annexure P2),

respondent No.2 has already joined at Ludhiana. Even otherwise, the distance between the two stations i.e. Ludhiana and Jalandhar, is just 60 kilometers. So no inconvenience or hardship can be pleaded either. Needless to assert, transfer is an incidence of service and is thus primarily the domain of the employer. And can be interfered with only if it is substantiated to be either in breach of any statutory rule, transfer policy in vogue or actuated for any extraneous considerations. Concededly, that is not even the case set out in the petition.

That being so, no interference with the administrative discretion exercised by the authorities, is warranted. Petition being devoid of merit is dismissed in limine.

July 7 2015
Rajan

(Arun Palli)
Judge