

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

CWP No.18709 of 2015

Date of Decision :6.10.2015

Shri Niwas

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr.Rajesh Bansal, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl.AG, Haryana.

.....

MAHESH GROVER.J.

The petitioner impugns the order of his transfer on the ground that it has been initiated on a complaint made by his disgruntled daughter-in-law having marital discord with his son.

Reply indicates that a case has been registered against the petitioner and his other family members under the provisions of Sections 498-A, 406, 506 and 377 IPC in which the petitioner and his family members are facing trial. The transfer is attributed to an administrative exercise as the petitioner has completed three years of service at the present place of posting.

Having regard to the fact that normally transfer can be effected after a period of three years, there would be no reason to

doubt the stand of the respondents. In the absence of any worthwhile material to accept the mala fides the court would not thus interfere in the impugned order of transfer in the exercise of its jurisdiction under Article 226 of the Constitution of India. However, since the petitioner pleads that his transfer to Jhajjar may be highly inconvenient considering that the complainant belongs to that area, I would deem it appropriate to dispose of this petition leaving the petitioner to pursue his remedy with the respondents. In case the respondents find that the petitioner can be adjusted elsewhere than Jhajjar, they may take appropriate decision in this regard without being influenced by the dismissal of the present petition.

Petition disposed of.

6.10.2015
dss

(MAHESH GROVER)
JUDGE