

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.2228 of 2015

Date of Decision: February 11, 2015

Raminder Pal Singh

.....Petitioner

versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE RAJ MOHAN SINGH.

Present:Mr.Shailendra Sharma, Adv., for the petitioner.

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- 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?

Surya Kant, J. (Oral)

The petitioner who is working as Upper Division Clerk has been transferred vide the impugned order dated 26.09.2014 from the office of Garrison Engineer (P), Command Hospital, Chandimandir to the office of Engineer-in-Chief Branch at New Delhi.

It appears that the officials of different ranks have been re-shuffled in Western and Northern Commands and some of them challenged their transfer orders before the Central Administrative Tribunal, Chandigarh Bench, who vide a common order dated 28.01.2015 has declined to interfere in those transfer orders.

We have heard learned counsel for the petitioner and gone through the paper book.

In sum and substance, the arguments raised on behalf of the petitioner are suggestive of the fact that the Tribunal or this Court should take control on the

administrative affairs of the respondent-department and dictate the authorities the manner and criteria of transfer and posting of the officials. Their further contention is that the issues like determination of strength of the surplus employees or the mode and manner of their adjustment is the sole prerogative of this Court or the Tribunal and the authorities need not to undertake such an exercise. We are afraid, this is totally beyond the scope of power of judicial review of the administrative decisions like transfer and postings of employees as an incidence of service. Suffice to observe that such like administrative action calls for minimum interference by this Court save the order is tainted with malafide and extraneous considerations or it violates any Statute or statutory rules. No such case is made out by the petitioner.

Dismissed.

[SURYA KANT]
JUDGE

February 11, 2015
Mohinder

[RAJ MOHAN SINGH]
JUDGE