

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP no. 25204 of 2014(O&M)

Date of Decision : 13.02.2015

Gurpreet Singh

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

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?

Present : Mr. Gaurav Sharma, Advocate for the petitioner

Mr. Harkesh Manuja, Addl. AG, Punjab

MAHESH GROVER, J.

The petitioner impugns the order of transfer (Annexure P-1).

Learned counsel for the petitioner contends that even though the said order would indicate administrative reasons but the actual reason is disclosed in the reply which are complaints against the petitioner. A perusal of the reply would indicate that there are certain complaints received from the female employees where the petitioner was posted.

If that be so then I am of the view that the employer would be very well within his rights to remove an employee from a place where such allegations have surfaced on account of his presence. This would also form one of the administrative reasons which can be enforced for effecting a transfer. Since there are no mala fides alleged, I am of the view that transfer made on such administrative reasons do not warrant any interference by this Court in the exercise of its jurisdiction under Article 226 of the Constitution

of India. However the petitioner would still be at liberty to pursue his remedy with the respondents and the dismissal of the instant writ petition would not be construed to be an impediment to consider his case.

Disposed of.

February 13, 2015
rekha

(MAHESH GROVER)
JUDGE