

CWP No.13302 of 2016

#1# Manoj Kumar
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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.13302 of 2016

Date of decision: 12.07.2016

Balkar Singh

....Petitioner

Vs.

Punjab State Power Corporation Ltd and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. A.D.S Bal, Advocate for respondent No.6-PSEB.

Mr.Inder Pal Goyat, Addl. A.G, Punjab.

Jaswant Singh, J

Petitioner, who is working as Assistant Lineman with Sub Division Aliwal, Batiala, District Gurdaspur, has prayed for issuance of a writ in the nature of Certiorari for quashing the impugned order dated 11.2.2016 (P.3) passed by the respondents whereby he has been transferred to Sub Division Dhilwan, Division Kapurthala.

Learned counsel for the petitioner contends that the impugned order of transfer is bad in view of the fact that the son of the petitioner is suffering from mental retardation and need a constant care and moreover, his superior has recommended for cancellation of the impugned transfer order.

A perusal of the paper book reveals that there is a communication dated 06.6.2016 by Additional Executive Engineer,

Rural Division, Batala recommending the cancellation of the transfer order dated 11.2.2016 passed by respondent No.2. It is also matter of record that in pursuance of the transfer order dated 11.2.2016 **(P.3)**, the petitioner has already been ordered to be relieved vide memo dated 31.5.2016 **(P.5)** issued by the Competent Authority, therefore, the recommendation, if any, is not helpful to invalidate the impugned order as the law is well settled that the transfer is an incidence of service and an employee cannot claim as a matter of right to be posted at a particular place of posting.

In view of the aforesaid, no interference is made out.

Dismissed.

July 12, 2016
manoj

(JASWANT SINGH)
JUDGE