

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 15115 of 2016 (O&M)
Date of Decision: 29.07.2016.

Naresh Kumar

--Petitioner

Versus

State of Haryana and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Kuldeep Khandelwal, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

The petitioner, who is serving as Multipurpose Health Worker (Male) under the Department of Health, State of Haryana, has filed the instant petition assailing his transfer from Rohtak to Panipat in terms of order dated 30.5.2016 (Annexure P-3).

Counsel very fairly states that petitioner has already been relieved from Rohtak and has joined at the place of posting at Panipat. It is, however, contended that the State Govt. has framed Transfer Policies from time to time and wherein there is a stipulation to accommodate employees as a couple case as far as possible. It is submitted that wife of the petitioner is also an employee of the Health Department and is working as Auxiliary Nurse Midwifery (A.N.M.) and is also working at Rohtak and as such, the petitioner should not have been displaced from Rohtak.

The petitioner having already joined his place of posting at Panipat, this Court would not be inclined to intervene in the matter.

Even though, a Transfer Policy does not vest in an employee an enforceable right, yet, there is no escape from the fact that stipulations contained in the Transfer Policy are in the nature of guidelines and which in

the ordinary course should be followed by the State Govt./concerned authority and deviation therefrom should be permissible only on valid and cogent grounds.

While declining to interfere in the matter, the writ petition is disposed of with liberty to the petitioner to approach the competent/concerned authority with regard to his grievance as regards transfer from Rohtak to Panipat.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

29.07.2016
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Whether speaking/reasoned: Yes

Whether Reportable: No