

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

***CWP No.16338 of 2016 (O&M)
Date of decision : 11.08.2016***

Manisha Singh

....Petitioner

Vs.

State of Haryana and another

....Respondents

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

Present: Mr. Ashok Bhardwaj, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The petitioner who is serving as P.G.T./Lecturer (Biology) has filed the instant petition assailing an order dated 06.08.2016 passed by the Additional Chief Secretary, School Education, Haryana at Annexure P-3 whereby she has been transferred from Government High School, Garwa, Block Siwani, District Bhiwani to Government Senior Secondary Education, Naloi, Block Siwani, District Bhiwani.

The primary submission raised by counsel is that the transfer of the petitioner has been directed in contravention of the transfer policy issued by the State Government vide memo dated 29.06.2016 at Annexure P-4.

Counsel submits that the impugned order of transfer is also in violation of the subsequent instructions issued by the office of Director, Secondary Education, Haryana, Panchkula dated 02.08.2016 at Annexure P-7. That apart, it has been argued that the impugned order of transfer would entail great hardship to the petitioner as she otherwise belongs to District Gurgaon and has a three year old child to manage and her husband, being a Pilot with SpiceJet Airlines is posted at Chennai.

Having heard counsel for the petitioner at length, this Court is of the considered view that no interference in the matter is called for.

Transfer is an incidence of service. Terms and conditions contained in a transfer policy do not vest an enforceable right. These are matters which need to be agitated before the employer/Competent Authority.

As such, while declining to interfere in the matter, liberty is granted to the petitioner to approach Competent/State Authority as regards her grievance against the impugned order of transfer.

Disposed of.

11.08.2016

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |