

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

CWP No.16531 of 2016 (O&M)

Date of decision:16.08.2016

Neeraj

... Petitioner

Vs.

State of Haryana & others

... Respondents

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

Present: Mr. Lokesh K. Malik, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The petitioner who is serving as PGT (Hindi) under the Haryana State (School Education) Department is aggrieved of his transfer from Sonapat to Naraingarh.

Counsel has raised a two fold submission. In the first instance, it is argued that the impugned transfer is in violation of the Transfer Policy framed by the State Government itself and under which a normal tenure of posting of five years is envisaged. The second submission raised is that the petitioner has been transferred by treating his post at the existing school as surplus and which has been done wrongfully and contrary to the students strength.

Counsel for the petitioner has been heard at length.

During the course of arguments, it has been conceded that the petitioner has served at Sonapat since the year 2012 for a period in excess of four year. Transfer is an incidence of service. The conditions/stipulations contained in a Transfer Policy do not vest an enforceable right. As regards the petitioner's grievance that a post has been declared surplus wrongfully, these are the matters which need to be agitated before the

employer/respondent-department in the first instance.

Accordingly, while declining to interfere in the present petition, liberty is granted to the petitioner to approach the respondent/authorities as regards his grievance against his transfer.

Disposed of.

16.08.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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