

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

Civil Writ Petition No.17069 of 2016

Date of decision: 22.8.2016

Jai Singh Yadav

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.J.P.Jangu, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

The petitioner has filed the instant petition assailing the action of the respondent-Department in transferring him from Government High School Dakhora, District Rewari to Government High School Biwan, Mewat on promotion from TGT to the post of P.G.T.

The primary submission advanced by learned counsel is that the transfer of the petitioner has been made in contravention of the Transfer Policy of Teachers issued by the State Government vide memo dated 29.06.2016 at Annex P-2.

Having heard counsel for the petitioner at some 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 though they are to be adhered to in broad spectrum and fair-play but admitting of some free play in the joints which is necessary to reconcile and accommodate competing interests of thousands of teachers who may be placed in similar circumstances. The Court cannot and ought not to individualize justice. These are matters which need to be agitated before the employer/Competent Authority for exercise of their discretion since the blue print of transfers is in their hands to analyze, that who should be placed where. No bias and malafides have been alleged in the petition.

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

Disposed of.

(RAJIV NARAIN RAINA)
JUDGE

August 22, 2016

Paritosh Kumar

Whether speaking/reasoned	:	Yes
Whether reportable	:	No