

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

Civil Writ Petition No.2002 of 2014

Date of decision: 23.5.2016

Jagtar Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: None for the petitioner.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab
for the respondents.

G.S.SANDHAWALIA, J. (Oral)

The petitioner challenges order dated 28.11.2013 (Annexure P/7) whereby she was transferred from Mansa to Faridkot and letter dated 5.11.2013 (Annexure P/1) whereby enquiry had been initiated against her.

The plea taken by the State in its reply is that the petitioner has been transferred on administrative ground and on the recommendation dated 22.11.2013 (Annexure R/3) made by the Superintendent, District Jail, Mansa.

A perusal of the said recommendations shows that there were allegations against the petitioner with regard to dividing the women prisoners who were locked in prison into groups and she was supplying mobile phones inside the prison.

It is settled principle that this Court would not interfere in the orders of transfer unless they are malafide or arbitrary. Reliance can be placed upon the judgment of the Apex Court in **State of U.P. Vs.**

Gobardhan Lal 2004 (2) RSJ 604, accordingly, the said order is not liable

to be interfered with.

A perusal of Annexure P/1 would go on to show that the petitioner was only asked to file reply on account of one complaint having been received from Hardeep Singh son of Harbans Singh.

The State in its reply regarding the second issue has submitted that the proceedings would be initiated against her as reply has not been filed to the show cause notice. The grouse of the petitioner seems that copy of the complaint on the basis of which show cause notice was issued has not been supplied.

Accordingly, the State is directed to supply requisite copies of documents to the petitioner on the basis of which it is proposing to take action against her, if already not supplied.

With the aforesaid observations, the present writ petition is disposed of.

May 23, 2016
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(G.S.SANDHAWALIA)
Judge