

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.23837 of 2016
Date of Decision:-23.12.2016.

Subhash Chander Jagga

.....Petitioner

Versus

The Cotton Corporation of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Johny Goyal, Advocate for the petitioner.

Mr. Sandeep Khunger, Advocate for the respondents.

P.B. BAJANTHRI, J. (Oral)

1.) The petitioner has questioned the validity of the transfer order dated 21.10.2016 (Annexure P-10) by which he has been transferred from Bathinda to Warangal (Andhra Pradesh).

2.) Learned counsel for the petitioner submitted that while he was in Punjab, he has been transferred frequently. Now on 21.10.2016, he has been transferred from Bathinda to Warangal. Thus, the petitioner is being harassed in transferring him from one place to another. It was further contended that the petitioner is due for retirement within one and a half years, therefore, he is entitled to continue in Bathinda.

3.) Transferring an employee is a prerogative of the employer and it is an administrative action. Therefore, no interference is called for under

Article 226 of the Constitution of India. This Court can interfere with the

order of transfer only on the ground of *mala fide* or competency of the transferring authority. Thus, the petitioner has not made out a case to interfere with the order of transfer dated 21.10.2016 (Annexure P-10).

4.) Petition stands dismissed.

5.) Learned counsel for the petitioner seeks permission of this Court to report at the transferred place. During pendency of this petition, petitioner has not reported at transferred place, therefore, the petitioner is directed to report at transferred place within 10 days from today. The intervening period be regulated in accordance with law.

(P.B. BAJANTHRI)
JUDGE

December 23, 2016.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.