

Government of Haryana, challenges his transfer from Gurgaon to Narnaul. Relying on the transfer policy of the State of Haryana, it is submitted on behalf of the petitioner that since he is due to retire in February 2017, he may not be transferred. He further submits that he has a daughter, who is physically disabled, who needs his continuous attention and since she is studying at Gurgaon, by quashing his transfer order, he may be allowed to continue at Gurgaon.

The transfer policy, on which the petitioner relies, is for mere guidance of the Administrative Authorities and is not enforceable, especially when no allegation of mala fide is even raised. Even otherwise, transfer is an incidence of service and so as to where a particular officer is to be posted, is better left to the Administrative Authorities, as has been done in the case in hand.

So far as the ground raised by the petitioner that his daughter is a physically disabled person and is studying in Gurgaon, for which reason he may not be transferred from Gurgaon, is concerned, that too, according to me, does not bring the petitioner's case in the definition of "extreme hardship". The record reveals that the petitioner's daughter is doing her Masters in Computer Application and is going to her College every day by bus. That being so, in addition to the fact that the petitioner's daughter is a major, as she is pursuing her Masters Degree, there is apparently no problem with regard to her going to College as she is doing so by bus. It is further the admitted position before me that right from the year 2011

(except for a short period), the petitioner has been posted in Gurgaon.

In view of the above, finding no merit in the present writ petition, the same is hereby ordered to be dismissed.

No costs.

(DEEPAK SIBAL)
JUDGE

March 02, 2016
monika