

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

**CWP-13890-2017 (O&M)
Date of Decision: 03.07.2017**

Harjinder Singh

--Petitioner

Versus

Punjab Water Supply & Sewerage Board & another

--Respondents

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

Present:- Mr. M.K. Dogra, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.

Petitioner, who is serving on the post of Senior Assistant under the Punjab Water Supply and Sewerage Board has filed the instant petition aggrieved of the order dated 07.06.2017 (Annexure P-2), whereby he has been transferred from Division No.1, Amritsar to Moga Division.

The solitary contention raised by counsel is that transfer of the petitioner is in violation of the transfer Policy dated 11.04.2017 (Annexure P-1) formulated by the State Government inasmuch as in terms thereof general transfers could have been effected only upto 31.05.2017. That apart, certain pressing family circumstances have been cited.

Counsel for the petitioner has been heard at length. It is by now well settled that terms and conditions contained in a transfer Policy do not vest any enforceable right in an employee. Orders of transfer would be open to challenge only if the same have been passed in violation of a statutory provision or are vitiated by malafides. A reference in this regard may be made to the decision of Hon'ble Apex Court in the case of **Union of India**

Versus S.L. Abbas, 1995(4) SCT 455.

Be that as it may, in the considered view of this Court, it is certainly obligated for the competent authority to keep in mind the transfer Policy/guidelines formulated by the State Government itself while issuing orders of transfer.

As such, while declining to interfere in the matter, liberty is granted to the petitioner to approach respondent No.1/competent authority as regards his grievance of transfer from Amritsar to Moga. In the eventuality of any such representation being preferred, the competent authority would be obligated to consider the same and to thereafter take a decision thereupon expeditiously and in accordance with law.

Disposed of.

03.07.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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