

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

CWP No. 13944 of 2017
Date of decision: 03.07.2017

Gurmeet Singh Kalra

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner is aggrieved against his transfer dated 14.06.2017 (Annexure P-9) as District Manager at Head Quarter at Hisar with additional charge of Fatehabad and Sirsa.

The petitioner had approached this Court in CWP No. 11783 of 2017 in which directions were issued on 26.05.2017 to decide his representation. The order was further modified in LPA No. 1006 of 2017 and the time period was cut down while granting order of status quo regarding his transfer. In pursuance of the said directions, the Managing Director of respondent no. 2 has rejected the representation of the petitioner on 14.06.2017 (Annexure P-9) on the ground that he has been working at Chandigarh since 07.06.2011 and he never submitted any request that he might be transferred to Karnal.

Even otherwise, it has been observed that earlier a criminal litigation had been initiated against him at Karnal in which he had been acquitted and an appeal is pending before this Court. Accordingly,

directions have been issued that he should join at Hisar against the post of District Manager immediately, which is subject matter of challenge in the present writ petition.

Counsel for the petitioner has submitted that he is due to retire and that his wife is also working at Karnal and, therefore, the orders are not sustainable.

It is not disputed that the orders of transfer are administrative orders and there is no such legal right as such of the petitioner to enforce or demand a particular station of his choice. The fact remains that he has served for more than 6 years at Chandigarh and valid reasons as such have been given that he should not be posted at Karnal which is his home district on account of his earlier conduct even though he has been acquitted. It is settled proposition that transfer is an exigency of service and if there is no mala fide or violation of any statutory rules, it is not to be interfered with by the Courts. Reference can be made to the judgment of the Apex Court in ***State of U.P. vs. Gobardhan Lal, AIR 2004 Supreme Court 2165.***

Accordingly, the present writ petition is dismissed in limine.

03.07.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No