

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

**CWP-16314-2017 (O&M)
Date of decision: 26.07.2017**

Balwinder Singh

... Petitioner

Vs.

State of Punjab & another

... Respondents

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

Present: Mr. Ramesh Kumar Goyat, Advocate for petitioner.

...

TEJINDER SINGH DHINDSA, J.

Petitioner, who is currently serving as Deputy Registrar under the Department of Cooperation, State of Punjab has filed the instant petition assailing the order dated 19.07.2017 (Annexure P-2) to the extent of his transfer from Mansa to Barnala.

The conceded position of fact is that the petitioner stood retired on 30.11.2016 having attained the age of superannuation. Thereafter, he was granted extension in service for a period of one year i.e. up to November, 2017.

The solitary ground raised by counsel to impugn the transfer of the petitioner is that under the transfer policy/guidelines formulated by the State Government, transfers should not be directed close to retirement.

In the considered view of this Court, the contention raised by counsel is wholly misconceived.

The preferential treatment envisaged in favour of an employee under the transfer policy/guidelines relates only to a stipulated period of time prior to superannuation. In the present case, the petitioner already

stands retired on 30.11.2016 and is on extension. Even otherwise, terms and conditions contained in a transfer policy/guidelines do not vest an enforceable right in an employee.

It is by now well settled that orders of transfer would be open to challenge only if they have been issued in violation of some statutory provision, transfer has been directed by an authority not competent to do so or the transfer itself being vitiated by *malafides*.

None of the grounds afore-noticed have been made out in the instant petition.

No ground for interference has been made out.

Petition is dismissed.

26.07.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| (i) | Whether speaking/reasoned? | Yes/No |
| (ii) | Whether Reportable? | Yes/No |