

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

-:-

CWP No. 17518 of 2017

Date of decision: 07.09.2017

Asha Rani

...Petitioner

Vs.

State of Haryana & Ors.

...Respondents

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

Present: Mr. Pankaj Middha, Advocate, for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

G.S.SANDHAWALIA, J. (Oral)

Petitioner has filed the instant writ petition for transferring her to nearby schools as per her choice in accordance with the Government instructions

Written statement filed by State counsel today in Court shows various grounds illuminated by the State that the petitioner cannot be given favourable consideration in spite of the fact that her daughter is suffering from various diseases and requires constant care.

It is not disputed that the petitioner is now posted at Government Primary School, Nawada, Fatehpur Gurugram, 14 kms away from her house. It is also a matter of fact that her husband has retired and, thus, would be available to look after the girl child during school hours. She also stayed in Gurgaon for 9 years i.e. from June 2007 to 29.09.2016 and in such circumstances her request for transfer back to particular schools closer to her house as per her choice as such cannot be acceded to, specially keeping in view of the fact that the Court is not to interfere in the transfer process which is for the smooth functioning of administration, except in cases of malafide action complained of.

Resultantly, this Court is of the view that there is no scope for interference.

Accordingly, the present petition is dismissed.

September 07, 2017
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(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No