

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.17881 of 2017 (O&M)
Date of Decision:-18.08.2017.

Lt. Col. Anurag Garg

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Pradeep Sharma, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

CM-11328-CWP-2017

CM for amendment of the writ petition is allowed as prayed for subject to all just exceptions for the reasons stated in the application as well as affidavit.

Amended writ petition is taken on record.

CWP No.17881 of 2017

In the instant writ petition, petitioner has challenged the validity of transfer and posting dated 18.5.2017 and communication dated 22.6.2017 (Annexure P-1 and P-3, respectively).

The petitioner while working at Allahabad during the period from July, 2012 to 2014 his services were drafted to Chandimandir for training. On completion of his training, he has been sent to Silchar, Assam.

Feeling aggrieved by the transfer and posting order dated 18.5.2017,

petitioner is stated to have submitted representation and the same has been recommended by his superior. Consequently, petitioner's grievance was rejected vide Annexure P-3. Petitioner's services were drafted to Chandimandir only for training purpose. Once the training period is over petitioner is to be posted on regular post. Therefore, he cannot be continued in Chandimandir. Transfer is not a condition of service as held by the Supreme Court in number of cases. Therefore, question of interference with the order of transfer do not arise. Moreover, no statutory rule has been violated by the respondents in issuing the transfer and posting order dated 18.5.2017 insofar as petitioner is concerned. Thus, no interference is called for in the matter.

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

August 18, 2017.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.