

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

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CWP No.18701 of 2017 (O&M)

Date of Decision: August 22, 2017

ASI Kulwant Singh and others

....Petitioners

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. R.K. Arya, Advocate
for the petitioners.

TEJINDER SINGH DHINDSA, J. (Oral)

Petitioners, who are holding the local rank of ASI under Punjab Police, have impugned the order dated 07.07.2017 (Annexure P-1) and vide which, they have been transferred from District Tarn Taran to other ranges across different districts i.e. Mansa, Fazilka, Sangrur etc.

The sole basis of challenge to the transfer is that under Rule 14.15 of the Punjab Police Rules, 1934, a transfer could not have been effected out of the district/range.

Counsel for the petitioners has been heard.

The Supreme Court of India in **State of Haryana & others Versus Kashmir Singh & another, 2010(4)SCT 565** had considered the relevant provisions under the Punjab Police Rules, 1934 and had taken a view that transfer of subordinate police personnel can be

done from one district to another or even of another range and that there was no absolute prohibition in such regard under the rules.

Under the Punjab Police Act, 2007 (hereinafter to be referred to 'the 2007 Act'), the seniority of Constables/ Head Constables is maintained at the State level. A reference in this regard may be made to Section 4(b) of 2007 Act. After enactment of the 2007 Act, every member of the police would be liable to be posted anywhere in the State and there would be no prejudice caused as regards loss of seniority etc.

A Coordinate Bench of this Court in **CWP No.9666 of 2017 (Salwinder Singh Versus State of Punjab & others)** decided on 10.05.2017 has already negated a challenge to transfer on the same grounds that have been raised in the instant petition.

In view of the above, no infirmity is found in the impugned order dated 07.07.2017 (Annexure P-1) and the writ petition is dismissed being devoid of merits.

Dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

22.08.2017
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***Whether speaking/reasoned* : Yes/No**
***Whether reportable* : Yes/No**