

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

123

CWP No.19035 of 2017

Date of decision: 24.08.2017

Anil Kumar

....Petitioner

Versus

State of Haryana & others

...Respondents

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

Present: Mr.Shalender Mohan, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

Petitioner seeks quashing of the order dated 09.08.2017 (Annexure P-4), passed by respondent No.3-General Manager, Haryana Roadways, whereby his transfer order dated 12.05.2017 (Annexure P-1) has been cancelled and he has not been allowed to join at Hisar.

It is not disputed that the petitioner was posted at Chandigarh only on 17.10.2016, as per the pleadings. He was transferred to Hisar vide order dated 12.05.2017, on the plea of being a "Longer Stayee". It is, thus, apparent that the transfer (Annexure P-1) was ordered prior to the period of 2 years and the same was rightly cancelled. Similar view has been taken by this Court in CWP-13654-2017 titled *Rajesh Kumar Vs. State of Haryana & others*, decided on 09.08.2017, that the State shall not implement the transfer orders wherever the employees have been transferred before a period of two years. It is further settled principle that the Courts are not to interfere in transfer orders under Article 226 of the Constitution of India, especially those passed as per the policy.

Accordingly, in view of the above, the present writ petition is dismissed in limine.

24.08.2017

Sailesh

Whether speaking/reasoned:

Whether Reportable:

Yes/No

Yes/No

**(G.S. SANDHAWALIA)
JUDGE**