

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

CWP No.19071 of 2017 (O&M)

Date of decision:28.08.2017

Sat Pal Chand

... Petitioner

Vs.

State of Punjab & others

... Respondents

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

Present: Ms. Alka Chatrath, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

Petitioner was duly selected and appointed as a JBT/ETT Teacher on 18.11.2016. On 24 .11.2016, he was issued a posting order and he duly joined on the post at Government Primary School, Mudki, District Ferozepur.

Petitioner is stated to be a permanent resident of Village Chak Dumal, Tehsil Jalalabad, District Fazilka.

The instant petition has been filed seeking issuance of a writ of mandamus for directing the respondent/appropriate authorities under the School Education Department, State of Punjab to adjust the petitioner and transfer him to a school which is closer to his permanent place of residence. The prayer raised in the petition is founded on the basis that the petitioner suffers from a physical disability having been involved in an accident on 02.04.2015 i.e. more than 1½ years prior to his appointment. In support of such contention, the document placed on record at Annexure P-1 i.e. the patient discharge summary from Amandeep Hospital has been adverted to.

Counsel has also argued that previously in the months of

December and January, request of the petitioner for adjustment at a school closer to his place of residence has been accepted and orders dated 21.12.2016 (Annexure P-4), 29.12.2016 (Annexure P-5), 30.12.2016 (Annexure P-6) and 03.01.2017 (Annexure P-7) were issued but such adjustment could not take place as some other employee had already joined on the place of posting.

Having heard counsel for the petitioner at length, this Court is of the considered view that no basis for interference is warranted.

The prayer raised in the petition seeking transfer/adjustment at a particular station/school is not founded on the strength of any statutory provision or executive instructions which may be construed as enforceable.

Matters of transfer/posting are best left to the judgment of employer. As such, while declining to interfere, liberty is granted to the petitioner to approach the competent/appropriate authority as regards his claim/grievance.

Disposed of.

28.08.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes

ii) Whether reportable? No