

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.7822 of 2016

Date of Decision: 12.05.2017

Nadeem Younus Zargar

... Petitioner

Versus

Coal India Limited & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Arun Singla, Advocate,
for the petitioner.

Mr. Vikas Singh, Advocate,
for the respondents.

RAJIV NARAIN RAINA, J.(Oral)

1. Pursuing a Ph.d. Programme in Chandigarh University without informing the respondent-Coal India Ltd. and failing to obtain permission would not be a valid ground to set aside the transfer order of the petitioner posting him from Chandigarh to Kolkata. I find no illegality in the order of transfer issued in routine as per exigencies of administration, which transfer order is not shown to be coloured by bias or ill-will. This has not even been alleged in the petition.

2. The Ph.d. programme should not be made an excuse to avoid transfer. It is not shown whether the programme requires physical attendance in a class room on regular basis.

3. Accordingly, the petition is dismissed. With the dismissal, the stay stands automatically vacated. However, the dismissal of this petition will not preclude the petitioner from pursuing his administrative remedies with his employer. This remedy is left open because the petitioner did not file any representation and has approached Court directly.

12.05.2017

monika

**(RAJIV NARAIN RAINA)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes
No*