

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

**CWP No.7330 of 2017 (O&M)**

**Date of Decision:25.09.2017**

Rajwant Kaur

... Petitioner

Vs.

Union of India and others

... Respondents

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

Present : Mr. Gurpreet Singh, Advocate for the petitioner.  
Mr. Amit Arora, Advocate for the respondents.

**P.B. BAJANTHRI J. (Oral)**

C.M. No.13684 of 2017

The application is allowed as prayed for. Affidavit alongwith Annexure P-9 and P-10 of the petitioner SI/MIN Rajwant Kaur is taken on record subject to all just exceptions.

With the consent of the parties, main matter is heard.

Main case

In the instant petition, petitioner has sought for a direction to the respondents to defer order of transfer dated 15.3.2017 till March 2018 on the score that petitioner's son was admitted to the 10<sup>th</sup> class at Army Public School, Chandimandir.

It is evident on record that petitioner's son was admitted to 10<sup>th</sup> Class and academic year has to commence from 18.4.2017 which is subsequent event to the date of transfer dated 15.3.2017. Thus, the petitioner has not made out a case for direction to the respondents to defer the order of transfer dated 15.3.2017. By virtue of interim order, petitioner is continuing and order of transfer dated 15.3.2017 has not been given effect till date. Respondents have filed statement of objection and vacating the interim order.

Transfer of an official or an employee is not a service condition so as to interfere by this Court. If transfer order is passed by an incompetent authority or there is violation of any guidelines, in that event, Court can interfere. In the present case, petitioner has not made out a case except seeking sympathy to the extent that her son is studying in 10<sup>th</sup> standard. As on transfer order petitioner's son was not admitted to 10<sup>th</sup> standard. Petitioner is present in Court and she has agreed that transfer order be given effect from 1.12.2017. Respondents are hereby directed to give effect to the transfer order dated 15.3.2017 on 1.12.2017.

With the above observation, petition stands dismissed.

25.09.2017  
rajeev

**(P.B. Bajanthri)**  
**Judge**

**Whether speaking/reasoned**                      **Yes/No**

**Whether reportable**                              **Yes/No**