

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

**CWP No. 14134 of 2016
Date of Decision: 19.2.2018**

Raj Bala

...Petitioner.

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Deepak Sonak, Advocate
for the petitioner.

Mr. Gaurav Jindal, Additional A.G. Haryana

ARUN PALLI, J. (ORAL)

The petitioner happened to be a Jail Warder at District Jail, Sirsa, and had assailed the order of her transfer from Sirsa to Bhiwani, dated 6.7.2016 (Annexure P-2). Order dated 20.7.2016 passed by this Court, while issuing notice of motion, reveals that the limited grievance the petitioner had expressed; was that she was transferred to Sirsa in the year 2013, considering it to be a couple case, for her husband was employed as a Teacher under the Haryana Education Department. And vide impugned order, various officials were transferred on request basis or on their own request. Whereas, the petitioner never requested for her transfer out of Sirsa. Significantly, an analysis of the order (Annexure P-2) shows that not only the transfers were made on request basis, but even those officials were transferred who had not made any request in this regard. Which is why, in the remarks column against the name of the

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petitioner at Sr. No. 40, it is mentioned 'NOR' i.e. not on request. Thus, the petitioner had not stated the true and correct position to the Court. Be that as it may, the petitioner had served at Sirsa from 7.5.2013 to 6.7.2016, before she was transferred to Bhiwani. Not just that, pursuant to an interim order dated 20.7.2016, she continues to serve at Sirsa, and a further period of over a year and a half has gone by.

Learned State counsel submits that the petitioner has even been promoted as Head Warder, vide order dated 23.5.2017, and her posting order shall follow shortly. Thus, he submits that nothing substantive survives in this petition and the same be disposed of, as such.

Faced with this, learned counsel for the petitioner could not show, as to how the impugned order could be termed as erroneous or is unsustainable.

In conspectus of the above, no ground is made out to interfere in the impugned order in exercise of extra-ordinary jurisdiction under Article 226 of the Constitution of India. The petition being devoid of merits, is accordingly dismissed.

19.2.2018
AK Sharma

(ARUN PALLI)
JUDGE

Whether Speaking/Reasoned:
Whether Reportable:

YES / NO
YES / NO