

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

CWP No.17720 of 2018

Date of Decision:-22.10.2018

Pritpal Kaur.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Ripudaman Singh Sidhu, Advocate for the Petitioner.

Mrs. Anu Chatrath Kapoor, Additional Advocate General,
Punjab assisted by Ms. Kulwinder Kaur, Senior Assistant,
Department of Social Security, Women & Child Development,
Punjab.

JASWANT SINGH, J.(ORAL)

Petitioner is stated to have been appointed as a Supervisor by way of promotion on regular basis under the Integrated Child Development Scheme floated by the Department of Women and Child Development, Government of India. She is stated to have worked for different periods of time in different districts.

By filing the present petition the petitioner has challenged the order dated 22.6.2018 (P-1) and 02.07.2018 (P-2) passed by Director Social Security and Women and Child Welfare, Punjab whereby she was transferred from District Ludhiana Rural-I to Malerkotla and further from Malerkotla to Patran, District Patiala. It is claimed that the transfer is in

Learned Counsel for the petitioner submits that as per Clause 1.2(C) of Policy P-6, the transfer of official of Group-C was not to be made before two years.

On the other hand counsel for the respondent States that in fact the transfer vide order P-1 is from Ludhiana to Patran pursuant to order dated 02.07.2018 (P-2). Since the P-2 is in modification of order P-1 and she further states that petitioner had remained in District Ludhiana since 18.06.2014 i.e. for almost 04 years before his transfer out from Ludhiana.

Upon hearing Counsel for the petitioner as well as State Counsel, this Court finds that the present petition is devoid of any merit. First of all the petitioner is working under a scheme and, therefore, cannot be strictly accepted as to be a Punjab Government employee. Secondly, even if the Policy P-6 is applicable, petitioner has stayed for almost four years in District Ludhiana. It is conceded that the petitioner can be posted in any district of the State of Punjab since the post is considered to be a State Cadre post. It is also well accepted that a government employee holding a transferrable post had no vested right to remain posted at his choice of posting and any transfer does not violate any of the legal right of the petitioner. Even the aforesaid clause of the Policy relied upon permits the transfer on administrative exigencies within less than two years.

Dismissed.

(JASWANT SINGH)
JUDGE

October 22, 2018
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>