

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

146

CWP No.20366 of 2018 (O & M)
Date of Decision: August 16, 2018

Sub Inspector Tersam Singh and others

.....PETITIONER(s).

VERSUS

State of Punjab and others

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. R.K. Arya, Advocate
for the petitioners.

JASWANT SINGH, J. (ORAL)

Seventeen petitioners are serving the Punjab Police in different ranks from Constables to Sub-Inspectors under the jurisdiction of IGP, Border Range, Amritsar. Against all of them, FIRs have been registered for the offences under different sections at different police stations in different districts in the State of Punjab.

By filing the common writ petition, they have made a challenge to the order dated 09.08.2018 (Annexure P-1) whereby they have been shifted out from their places of postings where they were facing FIRs/criminal trial to other districts within the same border range.

Learned counsel for the petitioners has raised a solitary ground of hardships in the sense that they will not be able to defend themselves properly.

After hearing learned counsel for the petitioners, no ground for interference is made out. It is not disputed that as per the provisions of Sub

Rule (5) of Rule 14.5 of the Punjab Police Rules, 1934, Inspector General of Police is competent to transfer such police officers/officials facing criminal proceedings outside their districts. Thus, the impugned order passed by the IG has backing of the statutory provisions. The question of hardship cannot be entertained as even otherwise it is admitted that the petitioners are liable to serve anywhere within the State of Punjab as per the general terms and conditions of service.

For filing the present frivolous writ petition, the petitioners are liable to pay costs.

Dismissed.

All the petitioners are directed to pay a sum of Rs.5,000/- each as costs to be deposited with the Police Welfare Fund maintained by the Punjab Police.

(JASWANT SINGH)
JUDGE

August 16, 2018
A.Kaundal

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No