

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

(142)

**Civil Writ Petition No.20583 of 2018
Decided on : 20.08.2018**

Malkit Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Pawandeep Singh, Advocate
for the petitioners.

G.S. Sandhawalia, J. (Oral)

The challenge in the present petition filed under Article 226 of the Constitution of India to the transfer order dated 28.07.2018 (Annexure P-1) passed by Senior Superintendent of Police, Hoshiarpur-respondent No.4, whereby the petitioners have been transferred out of the said District, on account of pending criminal cases against them.

The contention as such which has been raised is by placing reliance upon Clause-8 of the Policy dated 09.07.2018 (Annexure P-2). The same reads as under:-

“No upper or Lower Subordinate shall remain posted in the same district after registration of a criminal case against him/her in the district. The Range IG/DIG shall immediately post him to another district in the Range.”

While referring to the chart reproduced in paragraph No.4, it is pointed out that petitioners No.2 to 11 are not serving in a same district, where the criminal case has been registered and, therefore, the transfer orders are not justified.

It is not disputed that the said respondent has not been approached by the petitioners for redressal of their grievances, which are against transfer orders and which are not interfered with by this Court in normal circumstances.

Faced with this situation, counsel submits that the petitioner may be permitted to approach the said respondent with a representation putting forth their claim in the above substance.

The present writ petition is, accordingly, disposed of with the above said liberty.

AUGUST 20, 2018
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No