

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

CWP No.26226 of 2018

Date of Decision:-11.10.2018

Pardeep Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Munish Bhardwaj, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner is stated to have been working as an ETT Teacher since last more than four years at Govt. Elementary School, Heer Bahi-2, Block Hazipur, Tehsil Mukerian, District Hoshiapur. He has challenged his transfer from the aforesaid school to Govt. Elementary School Binowal, Block Garhshankhar, District Hoshiapur vide order dated 27.08.2018 (P-6).

Learned Counsel for the petitioner states that the impugned transfer order is based on an inquiry report Annexure P-3, therefore, is liable to be set aside.

After hearing learned Counsel for the petitioner, no case for interference in writ jurisdiction is made out.

Petitioner concededly is liable to serve anywhere in the State of Punjab in view of the provisions of Rule 10 of **The Punjab Civil Services**

(General & Common Conditions of Service) Rules, 1994, although he

belongs to District Cadre. The petitioner having continued for more than 04 years of service at previous school is also not barred from being transferred in view of any transfer policy. In view of any complaint, employer on administrative ground is fully competent to transfer any employee and in the case of the petitioner, the charges as per report P-3 proved against him are of such nature that it was not desirable to have kept him at his previous place of posting. It is well settled that transfer is an incidence and not a condition of service.

Dismissed.

(JASWANT SINGH)
JUDGE

October 11, 2018
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>