

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

CWP No.29360 of 2018

Date of Decision:-20.11.2018

Vivek Bansal.

.....Petitioner.

Versus

Punjab State Power Corporation Ltd. & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Rohit Mittal, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner is a permanent resident and belongs to Muktsar Sahib. He was recruited as a Revenue Accountant and sent on training on 23.11.2012 and given the first posting on 07.01.2013 with Punjab State Power Corporation Ltd. at Muktsar Sahib. The petitioner remained posted at Muktsar Sahib till his promotion as Assistant Accounts Officer vide order dated 01.08.2018 (P-2). The petitioner was promoted and given posting at Jagraon. Subsequently, vide order dated 09.08.2018 (P-3) he was transferred from Jagraon to Muktsar Sahib. The petitioner is stated to have joined at Muktsar Sahib only after his promotion as Assistant Accounts Officer.

Challenge is to the order dated 22.10.2018 (P-1) whereby he has been transferred from Muktsar Sahib back to Jagraon.

Counsel for the petitioner states that in terms of the Transfer

Policy, the petitioner is entitled to stay at Muktsar Sahib as Assistant Accounts Officer for atleast a period of three years.

After hearing Counsel for the petitioner, this Court is not inclined to accept the plea, as it is apparent that the petitioner right from his initial recruitment stood posted at Muktsar Sahib i.e. for almost five years. The aspect of transfer in government service is aimed to prevent employees from developing vested interest by remaining posted for years at one place, which is not conducive to public interest. It is also not disputed that the liability of the petitioner is to serve anywhere within the State of Punjab and that transfer is an incidence and not a condition of service. There is no loss of emoluments, salary etc., in any manner caused by transfer of employees. Even the plea that respondent no.3-Anil Kumar who has remained posted in place of the petitioner at Muktsar Sahib and has served at Muktsar Sahib for almost 8-1/2 years cannot be a ground for raising the plea of hostile discrimination and no Mandamus for perpetuating a wrong can be issued. It is for the department to set their house in order and see the administrative exigencies.

Dismissed.

(JASWANT SINGH)
JUDGE

November 20, 2018
Vinay

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