

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-29733-2018 (O&M)

Date of Decision:-26.11.2018.

Ram Chander

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Anantdeep Singh Sandhu, Advocate for the petitioner.

ARUN MONGA, J. (Oral)

Learned counsel for the petitioner *inter alia* contends that petitioner has been transferred in violation of the standing order Annexure P-4 which is the transfer policy framed by the Director General, CRPF governing the transfer of Non-Gazetted Executive Personnel and Technical Tradesman. Clause (xvii) thereof states as below:-

“(xvii) Whenever any transfer is ordered prematurely i.e. prior to completion of normal tenure, reasons justifying pre-mature transfer shall be mentioned in the transfer order.”

2.) Learned counsel for the petitioner points out that vide Annexure P-2, the petitioner was transferred from Jharkhand to his current place of posting i.e. Sonapat on the extreme compassionate ground and a relevant entry thereof was also made in his service book/PIS data. Learned

counsel for the petitioner further contends that the wife of the petitioner

continuous to suffer from the same medical ailment which was earlier the cause of his seeking transfer on compassionate grounds. Notwithstanding, the impugned transfer order Annexure P-3, vide which he has now been directed to be posted at 75 Battalion, Srinagar from his current place of posting, has been passed without assigning any reasons as contemplated vide Clause (xvii) of the standing order, *ibid*. In these circumstances, it is directed that respondent No.4 shall treat the present writ petition as a representation of the petitioner and pass a fresh order giving reasons thereof, as per the transfer policy, within a period of 4 weeks. Until passing of the fresh order, the petitioner shall not be transferred and in view thereof, till the passing of the fresh order, impugned order Annexure P-3 shall not be implemented qua the petitioner alone.

3.) Writ petition stands disposed of.

(ARUN MONGA)
JUDGE

November 26, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.