

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

**CWP-4443-2018**

**Date of decision-23.02.2018**

**Tejpartap Singh**

**...Petitioner**

**Vs.**

**Punjab State Power Corporation Ltd. and others**

**...Respondents**

**CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present:     Mr. B.D.Sharma, Advocate for the petitioner.

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**JITENDRA CHAUHAN, J. (Oral)**

This writ petition under Articles 226/227 of the Constitution of India has been filed for issuance of a writ in the nature of certiorari for quashing the order dated 13.02.2018 (Annexure P-4) passed by respondent No.2 whereby the petitioner has been transferred from the office of Distribution Sub Division, Sarhin, PSPCL, Lalto Kalan to office of Distribution Sub Division Sidhwan Bait.

Learned counsel refers to Annexure P-3 to contend that the case of the petitioner is covered by policy dated 12.04.2017 whereby employees who are going to retire within a year or two years are not be transferred as they have to perform a number of formalities relating to the service and the change of the division may create problem for them. Further learned counsel contends that no reasons have been mentioned in the transfer order. Otherwise also, the petitioner is suffering from age related health issues and he is entitled to stay at the present place of posting on the medical grounds.

I have heard learned counsel for the petitioner and have gone through the case file.

The order dated 13.02.2018 (Annexure P-4) has been passed in public interest. Otherwise also, the employee cannot have a choice or a particular place of posting. There is no specific averment in the petition that there is no complaint with regard to the conduct of the petitioner or that he is not facing any departmental proceedings.

A Division Bench judgment of this Court in case ***Jit Singh Mallan Vs. Punjab State Electricity Board and another*** 2007(2) RSJ 527 has held that petitioner has no inherent right to choose the place of his posting. The instructions issued for transfer are merely the guidelines and said guidelines cannot be said to be mandatory and do not create any legal right in favour of the petitioner.

There is nothing on record which shows that the petitioner has been transferred with *mala fide* intention.

Thus, in view of the above discussion and the case law cited above, this Court is not inclined to interfere in the impugned order.

Consequently, the present writ petition stands dismissed.

**(JITENDRA CHAUHAN)**  
**JUDGE**

**23.02.2018**

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