

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

**Civil Writ Petition No. 6933 of 2018 (O&M)
Date of Decision: 20.03.2018**

Gurpreet Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. N.P.S. Mann, Advocate
for the petitioner.

JASWANT SINGH, J. (ORAL)

Petitioner (Gurpreet Singh) is working as a Panchayat Secretary with the Department of Rural Development and Panchayat, Punjab, and admittedly is the permanent resident of Tehsil Phool, District Bathinda.

By filing the present writ petition, the petitioner has challenged the transfer order dated 13.11.2017 (**Annexure P-4**), whereby he has been transferred from Bagha Purana (Tehsil & District Moga) to Sudhar (Tehsil & District Ludhiana).

Learned counsel for the petitioner has argued that since May 2017, this is the fifth transfer and, therefore, be set aside.

After hearing counsel for the petitioner and scrutinizing the paper-book, it is apparent that the petitioner was transferred and posted as Panchayat Secretary, Bagha Purana (Moga) in the year 2015. He was transferred out of Bagha Purana (Moga) to Ajnala (Amritsar) vide order dated 26.05.2017 (**Annexure P-1**), and vide subsequent order dated

10.07.2017 (**Annexure P-2**), he was posted back to Bagha Purana.

Thereafter, vide a fresh order dated 14.07.2017 (**Annexure P-3**), he was again transferred from Bagha Purana to Dharamkot in the same district Moga and the said order was withdrawn vide a fresh order passed after a week.

The net result is that the petitioner has continued to be posted at Bagha Purana, now there is a fresh impugned order dated 13.11.2017 (**P-4**), whereby he has been transferred from Bagha Purana (Moga) to Sudhar (Ludhiana), which virtually amounts to first transferr out of the district in the backdrop of the aforesaid facts. It is conceded that the Cadre of Panchayat Secretary is a State Cadre and liable to be posted anywhere in the State of Punjab. It is equally true that the transfer is an incidence of service and not a condition of service. In the facts of the case, no serious prejudice has been caused to the petitioner on his transfer out of Bagha Purana after serving more than two and a half years there.

In view of above, no ground for interference is made out.

Dismissed.

March 20, 2018

'dk kamra'

**(JASWANT SINGH)
JUDGE**

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