

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CWP No.21933 of 2019 (O&M)

Date of Decision.21.08.2019

Sunil Kumar

...Petitioner

Vs

State of Haryana and another

...Respondents

Present: Mr. Tribhuvan Dahiya, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The petitioner has challenged order dated 12.07.2019 (Annexure P-1) whereby the Department in contemplation of issuing charge-sheet under Rule 7 transferred him as punitive measure.

Mr. Dahiya, learned counsel appearing for the petitioner submits that the order is punitive in nature and therefore, cannot be transferred. Reliance has been placed upon notice of motion order dated 28.06.2019 passed by this Court in CWP No.17358 of 2019 and transfer order (Annexure P-2).

The aforementioned order reveals that in that case petitioner was being repeatedly transferred and as well as contemplation of issuance of charge sheet. No rule has been cited that there is bar for the Department to transfer a person in case it is contemplating to charge-sheet him. I am of the view that transfer order, in such circumstances, is most reasonable one, for, there is likelihood of tampering with the evidence and interference in enquiry proceedings, which cannot be stated to be punitive in nature.

No ground for interference is made out.

Dismissed.

(AMIT RAWAL)
JUDGE

August 21, 2019
Pankaj*

Whether speaking/reasoned	Yes
Whether reportable	No