

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

**CWP-23316-2019 (O&M)
Date of Decision:29.08.2019**

Gagandeep Singh Raikhi

... Petitioner

Versus

PSPCL& others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ashok Kumar Nabhewala, Advocate for the petitioner.

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TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner who is serving on the post of Additional Assistant Engineer under the Punjab State Power Corporation Limited has filed the instant writ petition assailing the order dated 09.08.2019 (Annexure P-11) and in terms of which he has been transferred from Jalandhar to Kapurthala.

Learned counsel has assailed the transfer order on the following grounds;

- (i) It is submitted that the transfer is in violation of the Circular dated 30.05.2019 (Annexure P-7) issued by the respondent/Corporation as also in violation of the Transfer Policy dated 29.03.2010 (Annexure P-20).
- (ii) It is alleged that the petitioner has been a victim of frequent transfers. In support of such contention, counsel has adverted to orders placed on record dated 19.06.2017 (Annexure P-1), 21.08.2018 (Annexure P-4), 07.03.2019 (Annexure P-5), 24.06.2019 (Annexure P-6), 25.07.2019

(Annexure P-8 and P-9).

(iii) Malafides have also been attributed against respondent No.4 who is holding the post of Senior XEN and posted in Jalandhar itself. It is contended that respondent No.4 is inimical to the petitioner inasmuch as the petitioner has not been obliging him during the course of discharge of his official duties. Averments contained in para 16 of the writ petition have also been referred to whereby respondent No.4 is stated to have obtained signatures of certain colleagues of the petitioner on 28.07.2019 on the allegations of misbehaviour with respondent No.4. Further contended that subsequently all the colleagues have furnished in writing on 03.08.2019 that the statements that were earlier recorded were under pressure and duress.

(iv) A ground of inequity has also been raised against impugned transfer by submitting that mother of the petitioner is bedridden and is suffering from a serious ailment i.e. ALS (Nureao) and as such is physically challenged and extremely frail, on account of which the petitioner's presence in Jalandhar to look after his mother is absolutely imperative.

Counsel would vehemently contend that such pressing circumstances also should have weighed with the respondent/authorities prior to directing his transfer from Jalandhar to Kapurthala.

Having heard counsel for the petitioner at length and having perused the pleadings on record, this Court is of the considered view that there is no infirmity in the impugned transfer order and the writ petition merits dismissal.

The instant order was being dictated in open Court.

At this stage, counsel upon instructions from the petitioner who is present in Court seeks withdrawal of the writ petition. Counsel states that the petitioner would prefer to agitate his grievance before the superior authorities/competent authority under the respondent/Corporation itself.

As per statement and prayer made by counsel, writ petition is disposed of as withdrawn.

29.08.2019*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |