

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

Sr. No.116

**CWP No.25931 of 2019
DECIDED ON: 19.09.2019**

BALWINDER SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. M.K. Dogra, Advocate, for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J. (ORAL)

Impugned herein, is an order dated 29.08.2019 (Annexure P-4) vide which the petitioner has been transferred from District Gurdaspur to District Hoshiarpur.

2. Learned counsel for the petitioner submits that the petitioner is slated to retire on April, 2020 and as thus has merely 7 months to go before he attains the age of superannuation. He further submits that as per the instructions issued by the Department of Personnel, Government of Punjab, an employee who has less than 2 years of service left should ordinarily be not transferred unless an extreme case of administrative exigency is made out. He also submits that there is no such exigency involved in the case of the petitioner. The petitioner also submitted a representation dated 28.06.2019 (Annexure P-2), but the same has also not been adverted by the respondents.

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3. Learned counsel for the petitioner submits that petitioner may be permitted to supplement his representation to provide the additional information which who seeks to rely to cancellation of his transfer order, he may do so.

4. Notice of motion.

5. On advance service of copy of the petition, Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.

6. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

7. Be that as it may, since the petitioner had already joined at his new place of transfer and in the premise the challenge of transfer order, is rendered infructuous. However, writ petition is disposed of with an observation that the respondents may look into the representation of the petitioner dated 28.06.2019 (Annexure P-2) and also the additional information which he seeks to rely on and pass an appropriate orders in accordance with the transfer policy, within a period of 60 days from the date of providing additional information if any or from receipt of certified copy of this order.

8. Disposed of in above terms.

19.09.2019

Ankur

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No