

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

**CWP NO. 28167 OF 2019
DATE OF DECISION : 30.09.2019**

Adesh Kumar

...Petitioner

versus

The State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. D.P.S. Randhawa, Advocate,
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARUN MONGA, J. (ORAL)

By way of instant petition, the petitioner has sought quashing of order dated 31.07.2019 (Annexure P-8), whereby he has been transferred from Banga to Pathankot.

2. Notice of motion.

3. On advance service of copy of the petition, Ms. Samina Dhir, Deputy Advocate General, Punjab, accepts notice on behalf of the State.

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

5. Mere violation of a transfer policy/guideline would not vest with the petitioner an enforceable right. Learned counsel for the petitioner submits that the present writ petition be disposed

of in terms of directing the respondent/authorities to consider the prayer of the petitioner by keeping in view the contentions stated in the present writ petition by treating it as a representation.

6. Accordingly, while declining to interfere with the impugned order of transfer dated 31.07.2019 (Annexure P-8), the present writ petition is disposed of with a direction to the respondent/authorities to consider the prayer of the petitioner by keeping in view the contentions stated in the present writ petition by treating it as a representation, within a period of three months from the date of receipt of certified copy of this order.

7. Suffice it to observe that while deciding the representation the authorities shall keep in mind the transfer policy/guidelines formulated by the State itself.

8. Disposed of in above terms.

(ARUN MONGA)
JUDGE

SEPTEMBER 30, 2019
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No