

Sr. No.148

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

CWP No. 28668 of 2019 (O&M)

Date of Decision: 03.10.2019

Dev Raj

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Pardeep Kumar, Advocate,
for the petitioner.

Mr. P.S.Bajwa, Additional A.G., Punjab.

ARUN MONGA, J.(ORAL)

The grievance of the petitioner is that despite the fact that he is on extension of one year of service and going to superannuate on 31.08.2020, he has been transferred vide order dated 13.09.2019 (Annexure P-2), from Division Branch, Batala, District Gurdaspur to Division Branch Ferozepur in complete disregard of the transfer Policy dated 23.04.2018 (Annexure P-1) particularly Clause 2 (a) (v) which envisages that if any employee who has left with less than two years service to his retirement, then prior to effecting the transfer, he is entitled to be given three options and the transfer has to be done at any one place from the said three options.

2. Learned counsel for the petitioner submits that not only the petitioner was not accorded the benefit of being given three

options, even otherwise, he is left with merely eleven months in the extended period of service.

3. Ordinarily, this Court is mindful of the fact that the transfers being matter of administrative exigencies, no interference should be made in the same unless circumstances of hardship are made out.

4. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents by keeping in view the contentions stated in this petition by treating it as a representation and pass appropriate order, in accordance with law, in terms of the Transfer Policy dated 23.04.2018 (Annexure P-1).

5. Let the needful be done within a period of 30 days from the date of receipt of a certified copy of this order.

6. Disposed of in above terms.

03.10.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No