

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

**CWP NO. 34509 OF 2019
DATE OF DECISION : 28.11.2019**

Surinder Singh

...Petitioner

versus

Food Corporation of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

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

None for the caveator.

ARUN MONGA, J. (ORAL)

Grievance of the petitioner herein is against the order dated 01.02.2019 (Annexure P-4), whereby he has been transferred from Regional Office, Punjab at Chandigarh to Headquarters of respondent-Corporation at New Delhi.

2. Learned counsel for the petitioner submits that impugned transfer order dated 01.02.2019 (Annexure P-4) is in violation of the Transfer Policy dated 12.02.2014 (Annexure P-3). He further submits that he also submitted representation dated 01.02.2019 (Annexure P-11) for his retention at Regional Office, Punjab, till completion of academic session of his children and course session of wife at ITI, Kurukshetra i.e 30.04.2020, but the same has been rejected vide order dated 11.11.2019 (Annexure P-10).

3. Contents of the writ petition have been perused viz.a.viz the representation dated 01.02.2019 (Annexure P-11) submitted by the petitioner. The petitioner very candidly made a request in his

representation for his retention at Chandigarh office for a period of three months till the completion of academic session of 2018-19 so that his children who were studying in school, as well as his wife who is a Teacher can finish the said session. Even after the said session expired, the adamency of the petitioner not to be transferred continues and instead complying with his own request, he is indulging in frivolous litigation.

4. Transfer being matter of administrative exigencies, this Court generally interferes, if at all, very cautiously. Transfer is not a punishment but an essential aspect of service, particularly, on a transferable post. Even the contention of petitioner raised in the representation has already been dealt with by the competent authority and rejected vide order dated 11.11.2019.

5. In my opinion, in the present case, the impugned order dated 01.02.2019 (Annexure P-4) does not call for any interference from this Court in exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India.

6. Petition is, accordingly, dismissed being devoid of any merit.

(ARUN MONGA)
JUDGE

NOVEMBER 28, 2019
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| 1. Whether speaking/reasoned : | Yes/No |
| 2. Whether reportable : | Yes/No |