

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

LPA No. 1979 of 2019 (O&M)

Date of decision : 6.12.2019

Gurdev Singh

.... Appellant

versus

State of Punjab and others

... Respondents

**Coram: Hon'ble Mr. Justice Ravi Shanker Jha, Chief Justice.
Hon'ble Mr. Justice Rajiv Sharma**

Present Mr. Ashok Bhardwaj, Advocate, for the appellant.

Ravi Shanker Jha, Chief Justice

This appeal has been filed by the appellant being aggrieved by order dated 7.11.2019 passed in CWP No. 32294 of 2019 disposing of the petition filed by the petitioner-appellant with an observation to treat the petition filed by him as a representation and pass appropriate orders in accordance with law as the petitioner-appellant has alleged that the impugned order of transfer is in violation of Transfer Policy.

Learned counsel for the petitioner-appellant submits that the petitioner-appellant belongs to scheduled caste and has been victimized and harassed by the Principal of the Institute. It is submitted that the impugned order itself mentions the fact that the petitioner-appellant has been transferred on account of his misbehaviour with the Head of the Institute. It is submitted that in such circumstances the order disposing of the writ petition filed by the petitioner-appellant with a direction to the authorities to consider and decide the representation by treating the petition as a

representation deserves to be set aside and the petition filed by him deserves to be allowed by quashing order dated 15.10.2019 whereby he has been transferred from Bhawanigarh (Sangrur) to Longowal (Sangrur).

Having heard learned counsel for the petitioner-appellant and having perused the record as well as the impugned order, we are of the considered opinion that the transfer of the petitioner-appellant has been made by the authorities, prima facie, on administrative exigencies with a view to bring out smooth functioning of the Institute.

In view of the above circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge. The appeal filed by the petitioner-appellant is accordingly disposed of with the same observations as made by the learned Single Judge in the writ petition.

(Ravi Shanker Jha)
Chief Justice

6.12.2019
vs

(Rajiv Sharma)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No