

Sr. No.161

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

CWP No.37052 of 2019 (O&M)

Date of Decision: 19.12.2019

Jaswinder Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. R.K.Arora, Advocate,
for the petitioner.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

ARUN MONGA, J.(ORAL)

1. Petitioner herein seeks issuance of a writ in the nature of certiorari to quash orders dated 14.10.2019 (Annexure P-4) and 12.12.2019 (Annexure P-5) vide which the petitioner has been transferred from Government Senior Secondary School, Mianpur (Rupnagar) to Government Senior Secondary School, Jhaj (Rupnagar) on administrative ground.

2. Contents of the writ petition have been perused.

3. 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.

4. In my opinion, in the present case, the impugned orders dated 14.10.2019 and 12.12.2019 Annexures P-4 and P-5 respectively, do not call for any interference from this Court in

exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India.

5. Petition is, accordingly, dismissed.

6. However, it is made clear that stigmatic remarks recorded by the Administrative Secretary to the extent that petitioner was found delinquent qua usage of cell phone during working hours and giving physical punishment to the students are expunged. The same seem to have been recorded merely on hearsay without conducting any inquiry.

7. Liberty is also granted to the petitioner to pursue her representation dated 16.12.2019 (Annexure P-11).

8. It would be appreciated that appropriate order is passed as expeditiously as possible without being influenced by dismissal of the instant writ petition.

19.12.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No