

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

CWP No.7226 of 2019 (O&M)

Date of decision: 03.03.2020

Pardeep Malik

.....Petitioner

Versus

Honorary General Secretary, Haryana and another

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sandeep Singla, Advocate,
for the petitioner.

Mr. Shalender Mohan, Advocate,
for respondent No.1.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

Ritu Bahri, J.

Petitioner is seeking quashing of the order dated 07.03.2019 (Annexure P-1), whereby he has been transferred from Karnal Division to Gurugram Division with additional charge of Faridabad.

When notice of motion was issued on 18.03.2019, learned counsel for the petitioner had stated that the petitioner was on the verge of retirement and he has been transferred from Karnal to Gurugram. Petitioner was posted in Karnal vide order dated 21.12.2018 (Annexure P-5) and within a period of three months, he has now been again transferred. While issuing notice of motion, operation of the impugned transfer order dated 07.03.2019 (Annexure P-1) was stayed.

Upon notice, reply on behalf of the respondents has been filed, wherein it is stated that the petitioner was posted at Karnal after his promotion vide order dated 29.08.2018.

The petitioner was promoted on 29.08.2018 and was posted/transferred in Karnal. Now, after a gap of almost five months, he has again been transferred to Gurugram vide order dated 07.03.2019 (Annexure P-1), which is against the norms of transfer policy.

In view of this fact, this petition is allowed and the impugned order dated 07.03.2019 (Annexure P-1) is set aside. However, liberty is granted to the respondents to consider the case of petitioner for transfer on any administrative grounds, after he completes two years in Karnal.

03.03.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No