

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

215

**CWP No.7665 of 2020 (O&M)
Decided on : 09.07.2020**

Neki Ram

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. B.S. Mamli, Advocate for the petitioner (s).

Mr. Harish Nain, Advocate for the respondents (s).

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

In the present petition filed under Articles 226/227 of the Constitution of India the petitioner seeks quashing of the transfer order dated 17.12.2019 (Annexure P-1), whereby he has been transferred from Fatehabad to Jind. The challenge has been made on the ground that in the transfer order, it has been mentioned that there is a request for transfer.

Counsel for the petitioner submits that no such request was made.

In the reply it has been stated that it was inadvertently mentioned as such, since the petitioner name was mentioned at Serial No.26 out of the 37 officials of Hisar range. The petitioner was enlisted as a Constable in the Police Department on 09.11.1991 and served in District Fatehabad since 20.10.1997 to 21.05.2020. He has remained posted in District Fatehabad for more than 22 years

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

215

CWP No.7665 of 2020 (O&M)

-2-

continuously and thus he has been posted to Jind, but has not joined till 09.06.2020. It has been mentioned that it was on administrative ground that the transfer was done. A fresh order by removing “at his own request” will be passed and he will be allowed TA/DA and joining time etc. The request for cancellation had already been declined.

There is no dispute the transfer is incidence of service. The petitioner has already stay for two decades at District Fatehabad. In such circumstances and in the absence of any malafide, the petitioner cannot impugn the transfer order. Accordingly, there is no ground to interfere in the impugned order. The writ petition stands dismissed.

JULY 09, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No