

CWP-11302 of 2020

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

CWP-11302 of 2020
Date of Decision: 06.08.2020

Balbir Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. J.S. Maanipur, Advocate, for the petitioner.
Mr. Rajneesh Chadwal, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through this Civil Writ Petition under Article 226 of the Constitution of India prayer has been made for issuance of a writ in the nature of *certiorari* for quashing impugned order dated 29.07.2020 (Annexure P-3) passed by respondent No.2, transferring the petitioner from Morni to Yamunanagar.

Learned counsel *inter alia* contends that before two years transfer of the petitioner is against policy dated 06.10.2004 (Annexure P-4). Petitioner's is a couple case. Therefore, he could not have been transferred. Learned counsel replied upon order dated 09.01.2020 of a Co-ordinate Bench of this Court passed in CWP No.383 of 2020 (Ved Vyas v. State of Haryana and others).

CWP-11302 of 2020

Heard.

This petition is totally a *mala fide* device to put pressure upon transferring authority. A beggar cannot be a chooser. Such type of policies are directory in nature not mandatory. Considering exigency of work, any employee can be transferred at any place, ignoring the aforesaid policy (Annexure P-4).

Facts and circumstances of the case relied upon by learned counsel for the petitioner are altogether different. Therefore, no benefit of the same can be given to the petitioner.

Dismissed.

Petitioner is restrained to file such type of petition in future.

August 06, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
---------------------------	--------

Whether Reportable	Yes/No
--------------------	--------