

LPA-550-2020

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

*** * ***

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Date of Decision: 1st September, 2020

Subhash

Appellant

Versus

State of Haryana and others

Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

*** * ***

Present: Mr. Kamal Deep Sehra, Advocate for the Appellant.

*** * ***

Dr. S. Muralidhar, J.:

1. This is an appeal directed against the judgment dated 26th August, 2020 of the learned Single Judge allowing CWP-8591-2020 filed by the Respondent No. 3/Savita. By the impugned order, the learned Single Judge has quashed the order dated 18th June, 2020 passed by the Respondent No. 1 cancelling the earlier transfer order dated 16th June, 2020, whereby the present Appellant was to be transferred to the post of Associate Professor at Government College, Jind in place of the Respondent No. 3, who was to be transferred at her request to the Government College in Panchkula.

2. The learned Single Judge in the impugned judgment has found that there was no valid reason for cancelling the earlier transfer order dated 16th June, 2020, particularly since the present Appellant was found to have been working in Panchkula since 2nd November, 2002 i.e. nearly 18 years. On the other hand, as noted by the learned Single Judge, the Respondent No. 3 has

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been working in Jind since 10th July, 2014 whereas her husband and children along with her father-in-law are residing in Panchkula. With her having spent more than 5 years at Jind, she was considered eligible for transfer. The Single Judge therefore found no illegality to be attached to the acceptance of the request of Respondent No. 3.

3. The only plea of Mr. Kamal Deep Sehra, learned counsel for the Appellant before us, is that there is another faculty member, Ms. Priti Nath, who also has served in Panchkula since 1988 and that she, and not the Appellant, ought to have been transferred to Jind in place of the Respondent No. 3.

4. The Court is unable to accept this plea. As long as it is not in dispute that the Appellant has been serving in Panchkula for nearly 18 years, he cannot, as such, claim any right to continue serving there.

5. There is no merit in this appeal and it is dismissed as such.

[S. MURALIDHAR]
JUDGE

[AVNEESH JHINGAN]
JUDGE

1st September, 2020
pankajbaweja

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