

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

**CWP-13478-2020 (O&M)
Date of Decision:04.09.2020**

Raj Singh

... Petitioner

Versus

State of Haryana & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Kamal Mor, Advocate for the petitioner.

Mr. Sharan Sethi, Additional Advocate General, Haryana.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner who is serving as a Multipurpose Health Worker (Male) under the Haryana Government Health Department has filed the instant writ petition assailing the order dated 24.08.2020 (Annexure P-2), whereby he has been transferred from Kharkhoda (Sonipat) to Nissing (Karnal).

On the previous date of hearing, contention raised by counsel was noted that the impugned transfer is in violation of the Transfer Policy dated 13.02.2020 issued by the Haryana Government (General Administration Department), wherein a normal tenure of transfer has been defined to be a period of five years.

Learned State counsel had been directed to complete instructions and hearing had been deferred to today.

Learned State counsel has apprised the Court that the

respondent/department has till date not adopted the Transfer Policy dated 13.02.2020 and rather is following the previous Transfer Policy of the year 2004 and where under an employee is open to be transferred after completion of two years tenure at a particular place of posting.

On a specific query having been put, counsel for the petitioner concedes that he has served at District Sonipat over a period of more than four years.

That apart, terms and conditions contained under a Transfer Policy do not vest any enforceable right in favour of an employee.

Transfer is an incidence of service. Orders of transfer are open to intervention only if the same have been passed in violation of any statutory provision, issued by an authority not competent to direct transfer or are vitiated by malafides.

Facts of the present case do not satisfy any of the parameters so as to warrant interference in the impugned transfer.

At this stage and upon being confronted with an order of dismissal of the writ petition, counsel seeks withdrawal of the petition.

Petition stands dismissed a withdrawn.

04.09.2020*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |