

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

**CWP-17728-2020(O&M)
Date of Decision: 27.10.2020**

Anil Sharma

..... Petitioner

versus

State of Haryana and others

..... Respondents

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

Present: Mr. Rajesh K.Sheoran, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J. (ORAL)

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

Petitioner who is a member of the HES Class I Service has filed the instant petition being aggrieved of his transfer from Hisar to Madina (Rohtak).

The solitary submission raised by counsel is that the petitioner had earlier been transferred from Palwal to Hisar on 09.07.2020 and merely three months thereafter he has again been shifted out to Rohtak. It is urged that under the transfer policy framed by the Haryana Government a normal tenure of posting envisaged is of three years. Counsel further contends that the petitioner has been dislocated only to accommodate respondent No.3 Kuldeep Singh who was earlier working as Deputy DEO, Hisar and now has been promoted as DEO in place of the petitioner inspite of facing departmental proceedings. That apart certain personal health issues have also been cited.

Counsel has been heard at length.

Transfer is an incidence of service. Even though terms and conditions contained in a transfer policy do not vest an enforceable right in an employee, yet the State Government/appropriate authority ought to keep such transfer policy/guidelines in mind while effecting transfers.

In view of the above and even while declining to interfere in the instant petition, liberty is granted to the petitioner to approach respondent No.1 as regards his grievance against his transfer from Hisar to Madina (Rohtak).

In the eventuality of any such representation being preferred, respondent No.1 would be obligated to consider the same expeditiously.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

27.10. 2020
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No