

Sr. No.109

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

**CWP No.21760 of 2020
Date of Decision: 16.12.2020**

Shiv Rattan Kumar

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Lovish Dhiman, Advocate,
for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Impugned herein is the transfer order dated 09.12.2020 (Annexure P-9), whereby, the petitioner has been transferred as Block Development and Panchayat Officer, Bhikhiwind, District Tarn Taran against the vacant post under District Development and Panchayat Officer TaranTaran, who is a Block Development and Panchayat Officer holding the Charge of District Development and Panchayat Officer and is junior to the petitioner.

2. Heard and contents of the writ petition have been perused.

3. Transfer being matter of administrative exigencies, this Court generally interferes, if at all, very cautiously. Transfer is not a punishment but an essential aspect of service, particularly, on a transferable post.

4. No doubt, transfer policy of the State envisages that ordinarily frequent transfers should not be ordered and yet the petitioner has been transferred. However, transfer policy and guidelines are merely directory in nature and not mandatory.

5. In my opinion, in the present case, the impugned transfer order dated 09.12.2020 (Annexure P-9) does not call for any interference from this Court in exercise of its extraordinary writ jurisdiction vested under [Article 226](#) of Constitution of India.

6. However, in the parting, this court hastens to add that competent authority is expected to look into the grievance of the petitioner qua non-payment of his salary and pass appropriate orders to disburse the same, in accordance with law, within a period of 30 days.

7. As regards the grievance of the petitioner that he is being posted as Bhikhiwind District Tarn Taran vide impugned order dated 09.12.2020 (Annexure P-9) to work under his junior, who is also having a substantive rank of Block Development and Panchayat Officer and has been currently given the charge of District Development and Panchayat Officer, even though the same seems to be temporary arrangement, but the petitioner is at liberty to take up his cause with the competent authority, in accordance with law.

8. Disposed of accordingly.

DECEMBER 16, 2020
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No