

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

**CWP-1884-2021 (O&M)
Date of Decision: 09.02.2021**

Surender Kumar

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. J.P.Rana, Advocate,
for the petitioner.

Ms. Mamta Talwar, DAG, Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petition herein is under Article 226 of Constitution of India seeking, *inter alia*, issuance of a writ in the nature of certiorari to quash the order dated 18.01.2021 (Annexure P-2) vide which the petitioner has been transferred from Municipal Corporation, Panchkula to Municipal Council, Sirsa.

2. Learned counsel for the petitioner submits that petitioner is working as Fireman at Municipal Corporation, Panchkula since 22.09.2010. The post of Fireman in the Municipal Corporation in Haryana is a district Level post and the seniority for the same is maintained at the District Level. He submits that as per rules, no employee can be transferred from district Cadre to other district cadre as the same would amount to transfer outside the cadre of the employee and would affect the seniority of both the cadres.

3. I have heard learned counsel for the petitioner and have gone through the case file.

4. 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.

5. The impugned order dated 18.01.2021 (Annexure P-2) 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. Dismissed.

7. As regards the other grievance of the petitioner regarding seniority etc., he is at liberty to pursue the same with the competent authority.

February 09, 2021

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No