

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

CWP-11264-2021

Date of Decision: 28.06.2021

Om Parkash

..Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sanjeev Malik, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.
(Presence marked through Video Conference)

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ARUN MONGA, J. (ORAL)

Petition herein, inter alia, is for issuance of a writ in the nature of certiorari to quash impugned order dated 22.06.2021 (Annexure P-3) vide which petitioner has been transferred from Tohana to Narwana.

2. Learned counsel for the petitioner submits petitioner was appointed as Jeep Driver. He was earlier transferred from Hisar to Tohana vide order dated 25.02.2021. Yet again he has been transferred only after four months from Tohana to Narwana vide order dated 22.06.2021. Notwithstanding, that as per policy dated 13.02.2020, no employee can be transferred before he completes three years/five years at his place of posting.

3. Learned State counsel, on advance service, joins proceedings and submits that distance from Tohana to Narwana is only 30 Kms.

4. I have heard learned counsel for the parties and gone through the case file.

5. 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.

6. The impugned order dated 22.06.2021 (Annexure P-3) does not call for any interference from this Court, in exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India. However, petitioner is at liberty to pursue his representation with the department for mitigation of his grievance. Non-interference of this Court shall not be construed, in any manner, to mean that if the petitioner is otherwise found deserving as per his pending representation, he would not be conferred benefit thereof. The competent authority is at liberty to consider his representation, in accordance with law. Disposed of accordingly.

(ARUN MONGA)
JUDGE

June 28, 2021
Vandana

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