

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-12038-2021 (O&M)
Date of Decision: 03.08.2021

Rajwinder Singh

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Vivek K Thakur, Advocate for the petitioner

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

Petitioner has filed the present writ petition *inter alia* with a prayer to quash the order dated 25.3.2021 (P1) passed by respondent No.3 - IGP, Jalandhar Range vide which he has been transferred from District Kapurthala to District Hoshiarpur and the order dated 02.07.2021 (P2) whereby the petitioner has been ordered to 'stand relieved'.

Counsel for the petitioner contends that since the service record, seniority and promotion lists are maintained at district level, the petitioner could not be transferred outside the district under the Punjab Police Rules.

On 08.07.2021, this Court had issued notice of motion. On 20.07.2021, this Court had further directed that the petitioner be allowed to continue working at Kapurthala as the respondents had not filed their reply till then.

Reply has been filed on 15.07.2021 on behalf of respondents No.1 to 4 by way of affidavit of Sh. Sundeep Singh, PPS, Deputy Superintendent of Police (HQ), Kapurthala. In para 9 thereof, the following stand has been taken:-

“...No seniority of the petitioner would be disturbed by virtue of his transfer from Kapurthala District to District Hoshiarpur because after enactment of Punjab Police Act 2007, seniority of District cadre is maintained at State (wrongly typed as Central) Police office level under Section 4(b) of Punjab Police Act, 2007...”

In view of the above, since the seniority of the petitioner would not be affected, this Court finds that there is no infirmity that can be found in the impugned order of transfer. The petitioner is not likely to suffer any prejudice as his seniority will not be affected.

No ground to interfere with the impugned orders is made out.

Dismissed. No costs.

03.08.2021

vishal shonkar

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No