

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

CWP-18194-2021

Date of decision: 14.09.2021

Hari Kishan

...Petitioner

Versus

State of Haryana and ors

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Mukesh Kumar Verma, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari to quash transfer order dated 24.08.2021 (Annexure P-2) vide which respondent No.4 namely, Samunder has been transferred at the current place of posting of the petitioner i.e. Haili Mandi.

2. Learned counsel for the petitioner submits that respondent No.3 is not competent to pass manual transfer order as impugned herein, since Government has banned the manual transfers vide its instructions dated 18.11.2020 (Annexure P-3). He contends that petitioner is fully conscious that being a Government servant, he can be transferred but the same ought to have been done in accordance with the transfer policy.

3. On advance service, learned State counsel joins proceedings and opposes issuance of notice of motion.

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

5. Transfer being matter of administrative exigency, this Court generally refrains to interfere and treads cautiously, unless it is a case of extreme hardship. The case in hand does not seem to be such so as to deserve any indulgence. Moreover, to transfer an official, or not to, is sole discretion of the employer based on the administrative exigencies. Not doing or doing so is not a punishment, but an integral part of service conditions.

6. No grounds to interfere are made out. Dismissed

14.09.2021
vandana

(ARUN MONGA)
JUDGE

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