

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

CWP-18223 of 2021 (O&M)

Date of decision: 14.09.2021

Narender Singh

...Petitioner

Versus

Haryana Vidyut Prasaran Nigam Ltd. and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Navmohit Singh, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

Feeling aggrieved by his transfer from Karnal to Dhulkote, vide order dated 06.09.2021, petitioner Narender Singh, working as LDC (Field) with the respondents, has filed the present writ petition seeking quashing of the impugned transfer order, alleging that his such transfer is not in routine but due to *mala fide* on the part of officers of HVPNL, who are annoyed with him for filing RTI applications and raising the issue of irregularities in the house allotment.

After hearing counsel for the petitioner and going through the record, I find that the present writ petition is doomed for failure for the reason that petitioner has been transferred after a stay of more than 04 years at Karnal. Transfer is incidence of service and is not a punishment. The employer is well within his rights to post an employee at a place where services of such employee are found to be required. Though, the

petitioner has pointed out that Superintending Engineer, TS Circle, HVPNL, Karnal had written a letter to S.E./Admin-II, HVPNL, Panchkula dated 26.08.2021 (Annexure P-1) requesting for transfer of petitioner for committing gross indiscipline by way of filing RTI applications, submitting complaints against senior officers and filing CM Window complaints through his wife, thereby blackmailing the officers on one pretext or the other but such letter does not show any *mala fide* on the part of officers of respondents. The petitioner being an employee of the respondents is supposed to discharge his duties with full devotion and dedication instead of indulging in uncalled for and objectionable activities, causing harassment to his superiors. There is no such mention in the impugned order that he was being transferred for indulging in objectionable and nefarious activities and furthermore he has been transferred after a long stay of 04 years at Karnal. Therefore, no ground is there to interfere with such order by way of accepting the writ petition, since, such interference is to be done in very exceptional circumstances in rare cases and not in routine.

Accordingly, the instant writ petition stands dismissed.

14.09.2021

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(H.S. MADAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No