

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

CWP-18704-2021

Date of decision:-22.9.2021

Ashwani Kumar

...Petitioner

Versus

The State of Haryana and others

...Respondents

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

Present: Mr.Sachin Gupta Ladwa, Advocate  
for the petitioner.

Mr.Sharad Aggarwal, AAG, Haryana.

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**H.S. MADAAN, J.**

Petitioner Ashwani Kumar working as Sweeper with Municipal Committee, Shahabad, District Kurukshetra had been transferred to Municipal Committee, Barara vide impugned order dated 3.9.2021. The petitioner had joined at the new station of his posting on 10.9.2021. However, subsequently the transfer order was withdrawn on 15.9.2021. The petitioner was relieved with a direction to join at his previous place of posting. Now the petitioner is finding faults with the withdrawal of the transfer order and has challenged such action of respondents by way of filing the present civil writ petition.

The writ petition is totally misconceived lacking merit. The petitioner being an employee of respondents holding a transferable post,

the latter have got every right to transfer him to any place within State of Haryana wherever services of petitioner are found to be needed. The transfer is an incidence of service and it cannot be taken as a punishment measure. No employee can insist that he be posted at a particular place or transferred to a place of his choice keeping in view his convenience. It is for the employer to decide where an employee is to be posted keeping in view the requirement and necessity for his services.

The petitioner is feeling aggrieved unnecessarily. Though he was transferred from Shahbad the original place of his posting to Barara but that order has since been withdrawn. There is nothing on record to show that the withdrawal of transfer order of petitioner is result of any *mala fide* on the part of respondents, rather it appears to have been done in routine for administrative reasons. No ground for interference with the impugned orders is called for by way of issuing a writ.

Even otherwise, a writ is to be issued in exceptional cases and not in routine. Here I do not find any reason to exercise such power.

The instant writ petition is dismissed accordingly.

22.09.2021  
Brij

(H.S.MADAAN)  
JUDGE

**Whether reasoned/speaking : Yes/No**

**Whether reportable : Yes/No**