

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

CWP-24272-2021

Date of decision: 30.11.2021

Sanjeev Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Lekhraj Nandal, Advocate,
for the petitioner.

Mr. R.K.S.Brar, Additional A.G., Haryana.
(Presence marked through Video Conference)

ARUN MONGA, J. (ORAL)

Petitioner is a driver and *inter alia* seeks issuance of a writ in the nature of certiorari to quash transfer order dated 24.11.2021 (Annexure P-3) vide which he has been transferred from Rohtak to Bhiwani.

2. Learned counsel for the petitioner submits that petitioner's daughter is suffering from cerebral palsy. She is also inflicted with 83% physically disability of her lower limbs due to polio, severely restricting her movement. Petitioner's wife is also suffering from asthma. The petitioner alleges that he has been transferred only to accommodate/adjust respondent No.4.

3. Given the nature of job of the petitioner (driver), he may also be required at times making it difficult to commute between Rohtak and Bhiwani. It is also stated that he has to regularly go to the attending doctor in Rohtak for the check up of his daughter.

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

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

6. Petitioner has been transferred from Rohtak to Bhiwani, which is merely 60 kilometres. Transfer being matter of administrative exigency, this Court generally refrains to interfere and treads cautiously. Moreover, transfer is not a punishment but an essential aspect of service, particularly, on a transferable post.

7. No grounds are made out to interfere. Petition is, however, disposed of with liberty to the petitioner to pursue his cause with the competent authority in the department for redressal of his grievance, who is expected to look into mitigating circumstances as enumerated in the petition and if found genuine, pass appropriate orders thereon.

30.11.2021

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No