

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

CWP-25134-2021

Date of decision: December 13, 2021

Jogender Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. RamanB. Garg, Advocate for the petitioner.

Ms. Rajni Gupta, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing the impugned transfer order dated 03.12.2021 (Annexure P-6) transferring the petitioner within a short span of one month after previous transfer order dated 18.11.2021 (Annexure P-3) in violation of notified transfer policy (Annexure P-2).

2. Learned counsel for the petitioner submits that the petitioner has been transferred at various places during his entire service. The entire service record of the petitioner is unblemished and excellent. As per policy dated 31.08.2021 (Annexure P-2), vide order dated 18.11.2021 (Annexure P-3), the petitioner was transferred from Yamuna Water Services Circle, Bhiwani to Construction Circle Hisar against respondent No.5. He further submits that within a span of less than one month, impugned order dated 03.12.2021 (Annexure P-6) has been issued cancelling the earlier order dated 18.11.2021 without any valid and cogent reason.

3. On advance service, learned State counsel appears 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. The distance between Bhiwani to Hissar is around 58 kilometers only and there is no such hardship so as to grant any indulgence.
7. In the premise, the impugned order dated 03.12.2021 (Annexure P-6) does not call for any interference from this Court in exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India.
8. Disposed of with liberty to the petitioner to follow up with the competent authority.

(ARUN MONGA)
JUDGE

December 13, 2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No