

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

CWP-26132-2021

Date of Decision: 22.12.2021**SANTOSH KUMARI**

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ravi Sharma, Advocate
for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *certiorari* quashing order dated 26.11.2021 (Annexure P-7), vide which, the petitioner has been transferred to PHC Ladwa, District Kurukshetra from CHC Ferozepur Bangar, Sonapat.

2. Learned counsel for the petitioner submits that the petitioner was appointed as MPHWP (Female) on 07.08.1987 on *ad hoc* basis and was then selected in the year 1998 by the then Subordinate Services Selection Board, Haryana on regular basis. He further submits that during her service tenure, the petitioner had fallen from bus and suffered spinal injury for which she had to undergo a surgical operation also, resulting in 25% disability. Learned counsel further submits that the petitioner has been transferred to PHC Ladwa, District Kurukshetra from CHC Ferozepur Bangar, Sonapat on her promotion, which is against 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 petitioner 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. Disability pleaded herein is not of such nature so as to grant 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.
7. Dismissed, however, with liberty to the petitioner to pursue her pending representation dated 07.12.2021 (Annexure P-8).

December 22, 2021

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No