

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

CWP-989-2021 (O&M)

Date of decision: May 23, 2022

Mohit Girdhar

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- None for the petitioner.

Ms. Mamta Singla Talwar, DAG Haryana.

Mr. Anand Bhardwaj, Advocate for respondent No.5.

ARUN MONGA, J (ORAL)

Petitioner herein, working as a Junior Engineer , *inter alia*, seeks issuance of a writ in the nature of Certiorari for quashing the impugned transfer order dated 29.09.2020 (Annexure P-2), whereby petitioner has been transferred from Kalanaur to Kathura.

2. At the outset, learned State counsel submits that petition is liable to be dismissed in of the serious concealment on the part of the petitioner.

3. She points out that the petitioner has obtained an interim stay in his favour from this court vide an order dated 15.01.2021 by concealing the fact that writ petition was filed after he joined the new place of posting in compliance of impugned transfer order (Annexure P-2), that more than three months later.

4. I have heard learned state counsel perused the case file. No replication and/or any further affidavit has been filed to the specific stand taken

by respondent No.5 in 2 of the preliminary submissions of reply dated 30.01.2021, which reads as below:

“ 2. That the petitioner has his residence in Jagdish Colony Rohtak and the distance from his residence to office of BDPO Kalanaur is approx. 23 Kilometers whereas the office of BDPO Kathura is located at about 26 Kilometers. The petitioner cannot allege that he has been transferred at far away station.”

5. No grounds for interference are made out on the aforesaid ground alone.

6. In any case, 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.

7. Dismissed.

(ARUN MONGA)
JUDGE

May 23, 2022

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No