

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

CWP-2161-2022

Date of decision: 07.02.2022

JAGDISH CHANDER

...Petitioner

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Balraj Singh Rathee, Advocate,
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.
(Presence marked through Video Conference)

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ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari to quash transfer order dated 11.01.2022 (Annexure P-3) vide which he has been transferred from the Office of SDO (Civil), Gohana to Office of SDO (Civil), Badhra, Charkhi Dadri.

2. Learned counsel for the petitioner contends that petitioner is fully conscious that being a Government servant, he can be transferred but the same ought to have been done in accordance with the transfer policy. He further submits that department has not adopted any specific policy, despite Government Instructions/Policy dated 07.04.1989 and 06.10.2004 (Annexures P-6 and P-7, respectively). He submits that petitioner, qua his grievance, submitted a representation dated 11.01.2022 (Annexure P-10), but to no avail. Hence, the instant petition.

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. 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. No grounds to interfere are made out. Dismissed with liberty to the petitioner to pursue his representation dated 11.01.2022 (Annexure P-10), which shall be looked into by the respondents, in accordance with law.

(ARUN MONGA)
JUDGE

February 07, 2022
vandana

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No