

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2458-2021

Date of Decision: 09.08.2022

PARTAP SINGH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Shalender Mohan, Advocate
for the petitioner.

Ms. Mamta Singla Talwar, D.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *certiorari* for quashing impugned order dated 22.01.2021 issued on 28.01.2021 (Annexure P-1), whereby he was transferred from Bhiwani to Faridabad.

2. Plead case is that the petitioner, earlier a clerk, was promoted to the post of Accountant and was posted at Bhiwani. He was transferred from Bhiwani to Hisar on 15.05.2015 and thereafter in the year-2015 itself, he was sent to Sirsa for temporary posting. Thereafter, he was again transferred from Hisar to Bhiwani on 15.05.2017. Grievance of the petitioner is against impugned order dated 22.01.2021, whereby, he was transferred from Bhiwani to Faridabad. Hence, the present petition.

3. Heard.

4. No stay was granted to the petitioner while issuing notice and writ proceedings have been ever since. Transfer order was passed more than a year and half ago. The relief in any case has become stale and infructuous.

5. Be that as it may, transfer being matter of administrative exigency, this Court generally refrains to interfere and treads cautiously, unless it is a case of *malafide* or 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 is an integral part of service conditions. Ordinarily, this Court would refrain to direct the respondent-authority to follow its policy unless there is an extreme administrative exigency and not to follow self-professed guidelines.

6. In any case, since the petitioner has joined at his new place of posting on 05.02.2021 as stated by learned State counsel and observed in earlier order dated 19.03.2021, nothing survives in the present petition.

7. Dismissed.

August 09, 2022
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No