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

CWP No. 3746 of 2020 (O&M)

Date of decision: 18.04.2022

Rajender Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

Coram : Hon'ble Mr. Justice Arun Monga

Present : Mr. Joy Preet Singh Meelu, Advocate for
Mr. Japal Singh Maanipur, Advocate, for the petitioner.
Mr. Pankaj Midha, Additional Advocate General, Haryana.

Mr. Pardeep Singh Poonia, Advocate and
Mr. B. S.Saroha, Advocate, for respondent no. 3.

Arun Monga, J. (oral)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari to quash transfer order dated 06.02.2020 (Annexure P-5) qua the petitioner vide which he has been transferred from Sonipat to Karnal.

2. Learned counsel for the petitioner submits that he is working as Jeep Driver in the office of District Horticulture Officer, Sonipat and has been transferred to the office of District Horticulture Officer, Karnal on administrative grounds. He submits that he had been posted at Sonipat on 19.12.2019. He submits that impugned order is in violation of the transfer policy. As per the policy dated 06.10.2004 (Annexure P-6), the petitioner was entitled to stay at least for two years. Hence, the instant petition.

3. On the other hand, learned State counsel strenuously opposes the writ petition.

4. I have heard learned counsel for the parties and gone through the case file.

5. While issuing notice of motion vide order dated 12.02.2020, stay was granted on the impugned transfer order. More than two years have elapsed and petitioner has been continuing at Sonipat by virtue of interim stay granted by this Court. 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.

6. No grounds to interfere are made out. Dismissed.

18.04.2022

vs

(Arun Monga)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No