

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

CWP-5975-2021 (O&M)

Date of decision: August 25, 2022

Anil Kumar

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Vijay Kumar Sheoran, Advocate for the petitioner.

Ms. Mamta Singla Talwar, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned transfer order dated 04.03.2021 (Annexure P-5) passed by respondent No.4 whereby respondent No.5 has been transferred/adjusted in place of the petitioner on the post of Gram Sachiv of Gram Panchayats, namely, Atela Naya, Atela Kalan and Kheri Bura, Block & District Charkhi Dadri.

2. Learned counsel for the petitioner submits that the impugned transfer order is against the instructions dated 08.03.2021 (Annexure P-6) issued by the Chief Secretary to Government of Haryana, thus, the impugned transfer order has been passed in violation of instructions *ibid*.

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

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

5. Notice of motion order was issued on 15.03.2021, however, no stay on the impugned transfer order was granted. Relief sought is thus rendered stale at this stage.

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. In the premise, the impugned transfer order dated 04.03.2021 (Annexure P-5) does not call for any interference from this Court in exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India.

8. Dismissed.

(ARUN MONGA)
JUDGE

August 25, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No