

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

CWP-5281-2022

Date of decision: March 16, 2022

Bhupinder Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Inder Pal Goyat, Advocate for the petitioner.

Ms. Kirti Singh, DAG Haryana.

ARUN MONGA, J (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of Certiorari for quashing the impugned order dated 07.03.2022 (Annexure P-6), whereby additional charge of Nanakpur Block, Kalka Range, Forest Division, Morni-Pinjore earlier given to the petitioner has been cancelled.

2. Learned counsel for the petitioner submits vide impugned order respondent No.5, namely Sukhvinder Singh has been wrongly assigned the charge of post in question. Petitioner has made allegations that respondent No.5 is corrupt and has been earlier punished for his misconduct. He alleges that respondent No.5 is in collusion with timber mafia. Hence, the present petition.

3. On advance service, learned State counsel appears and opposes issuance of notice of motion.

4. I have heard learned counsel for the parties and perused the casefile.

5. Transfers/assigning of charge from post to the other, 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. Ordinarily, this court would refrain to direct the respondent-authority to follow up its Policy unless there is an extreme administrative exigency and not to follow up self-profess guidelines.

6. No grounds for interference are made out.

7. Dismissed.

8. However, allegation of the petitioner that trees have been illegally cut and when he red flagged the same, as a punitive measure, he has been transferred, be looked into by the competent authority and appropriate administrative orders be passed to plug pilferage /illegal cutting of trees, if any.

(ARUN MONGA)
JUDGE

March 16, 2022

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No