

121 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-7462-2022
Date of Decision: 08.04.2022

LAKHBIR SINGH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sumit Sangwan, Advocate
for the petitioner.

Mr. Sharan Sethi, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari to quash impugned transfer order dated 09.03.2022 (Annexure P-3) vide which he has been transferred from GVD Dhani Miran, Sub Divisional Office, AH&D, Tosham to GVD ASA Khera, Sub Divisional Office, AH&D, Dabwali.

2. Learned counsel for the petitioner submits that the petitioner joined his duties as Veterinary Livestock Development Assistant (VLDA) with the respondent department on 08.06.2001. Vide order dated 03.03.2021, he was transferred from GVH Jhumpa Kalan, Sub Divisional Office, AH&D, Siwani to GVD Dhani Miran, Sub Divisional Office AH&D, Tosham. Learned counsel further submits that within a period of one year, the petitioner has again been transferred from GVD Dhani Miran, Sub Divisional Office, AH&D, Tosham to GVD ASA Khera, Sub Divisional Office, AH&D, Dabwali, which is in violation of the transfer policy dated 15.10.2020 (Annexure P-2).

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. Learned counsel for the petitioner has drawn my attention to Annexures P-4 and P-5, whereby this Court has directed that the representation be decided on the administrative side. He seeks parity. Merely because on an earlier occasion, the respondents were directed to consider the representation of the petitioners, is no ground to interfere in the present writ proceedings.
7. No grounds to interfere are made out. Dismissed.

April 08, 2022
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No