

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

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CWP-8440-2022

Date of decision : 25.04.2022.

Raghvinder Singh

... Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Sandeep Thakan, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the order dated 24.03.2022 (Annexure P-8) whereby he has been transferred from Sonapat to Ambala.

Learned counsel for the petitioner contends that the petitioner was posted in Sonapat as a Clerk and after his promotion to the post of Assistant, he has been transferred to Ambala which is in violation of condition No.8 of the transfer policy dated 13.02.2020 (Annexure P-6) inasmuch as he should have been posted nearby to his place of posting or adjusted at the place where he was posted. He also contends that another employee, namely, Bhupender Kumar, who has also been promoted along with the petitioner has been transferred from Karnal to Sonapat.

Heard.

The petitioner was posted as Clerk at Sonapat. He had been promoted on 31.12.2021 (Annexure P-3) and transferred to Ambala. He has relied upon condition No.8 of the Transfer Policy (Annexure P-6) which is reproduced hereunder:-

“8. Appointment by promotion/direct recruitment: Employees taken in a cadre through direct recruitment/promotion/repatriation shall be posted in the zone of eligibility and availability.”

The reliance of the petitioner on condition No.8 of the transfer policy is wholly misplaced as the same only stipulates that in case of direct recruitment or promotion, an employee shall be posted/adjusted in the zone of eligibility and availability. The petitioner does not have any right to remain posted at the same place even after his promotion or that he should be accommodated at a nearby place. The post of an Assistant at Ambala has become available and the petitioner has been posted there after his promotion. The transfer is merely an incidence of service and no employee has right to remain posted at a particular place especially after promotion.

Consequently, I do not find any ground to interfere in the impugned order and the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

April 25, 2022
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No