

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

CWP NO. 13244 OF 2022

DATE OF DECISION : 04.07.2022

Monika

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Devinder Singh, Advocate,
for the petitioner.

Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks quashing of impugned order dated 23.05.2022 (Annexure P-3), whereby she has been transferred to the office of Civil Surgeon, Panchkula against vacant post on being promoted to the post of Senior Scale Stenographer from Junior Scale Stenographer, allegedly without there being any administrative exigency.

2. Learned counsel for the petitioner contends that petitioner also submitted representations dated 14.03.2022 and 13.05.2022 with the department regarding her posting in the office of CMO, Bhiwani after her promotion. The distance between Bhiwani and Panchkula is more than 250 kms but her requests have not been considered by the respondent-department. Hence, the petition.

3. On advance service of copy of the petition, learned State counsel appears and opposes the petition.

4. I have heard learned counsels for the parties 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. 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. Be that as it may, the petitioner is at liberty to pursue her representation with the department and it is expected of the department/competent authority to look into petitioner's mitigating circumstances, as more particularly enumerated in the representations filed by her, and pass appropriate orders as deemed fit.

7. Disposed of accordingly.

JULY 04, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No