

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

CWP-13495-2022

Date of decision: 25.07.2022

SANJEEV KUMAR

...Petitioner

versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr.Suresh Kumar Kaushik, Advocate,
For the petitioner.

Ms. Mamta Singla Talwar, DAG, Haryana.

Mr. Harpal Singh, Advocate for
Mr. Pardeep Bajaj, Advocate,
For respondent No.6.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of *certiorari* to quash the impugned transfer order dated 07.06.2022 (Annexure P-7) vide which the petitioner has been again transferred vice versa from Panchkula to Barara (Ambala) only within three months.

2. Learned counsel for the petitioner submits that the impugned order has been passed without taking into consideration the Government Policy dated 06.10.2004 (Annexure P2). He contends that petitioner is fully conscious that being a Government servant, he can be transferred but the same ought to have been done in accordance with the transfer policy.

3. 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.

4. In the premise, the impugned order dated 07.06.2022(Annexure P-7) does not call for any interference from this Court in exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India. Dismissed.

5. However, it is expected of the respondents that they shall allow the petitioner to continue at his current place of transfer at Barara and complete his term in accordance with the transfer policy, since he has already joined at his transferred place.

(ARUN MONGA)
JUDGE

July 25, 2022

Vandana

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No