

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

CWP-15500-2018

Date of decision: 17.10.2022

RAKAM SINGH

...Petitioner

VS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. J.P.Dhull, Advocate,
For the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned order dated 09.11.2017 (Annexure P-3) and subsequent order dated 06.06.2018 (Annexure P-5), whereby earlier transfer orders were cancelled and petitioner was transferred from Karnal to Faridabad.

2. Learned counsel for the petitioner submits that the impugned order has been passed without taking into consideration the Government Policy. 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. While issuing notice of motion, no stay was granted which renders the relief, at this stage, totally stale and infructuous as he would have joined at the place of transfer by now.

4. Moreover, 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.

5. In the premise, the impugned order dated 09.11.2017 (Annexure P-3) and subsequent order dated 06.06.2018 (Annexure P-5) do

not call for any interference from this Court in exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India.

6. Dismissed.

(ARUN MONGA)
JUDGE

October 17, 2022
Vandana

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