

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

CWP-19103-2022 (O&M)

Date of decision: August 29, 2022

Suman

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sushil Sheoran, Advocate for the petitioner.

Mr. Pankaj Middha, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned transfer order dated 03.08.2022 (Annexure P-2) passed by respondent No.4 whereby petitioner has been transferred to Rajiv Gandhi Sports Complex Badwa, impugned order dated 18.08.2022 passed by respondent No.4 whereby petitioner has been asked to establish training Centre at Rajiv Gandhi Sports Complex Badwa, and order dated 18.08.2022 passed by respondent No.3 whereby petitioner has been asked to report at District Sports and Youth Affairs Officer, Bhiwani after establishing Sports Centre at Rajiv Gandhi Sports Complex Badwa.

2. Learned counsel for the petitioner submits that petitioner is having a minor son studying in Class 5th and mother-in-law aged 80 years and more than 80 sports players are getting training under her. He further submits that the impugned transfer order is bad in the eyes of law as respondent No.4 is not competent to transfer the petitioner.

3. On advance service, learned State counsel appears and opposes issuance of notice of motion.

4. I have heard learned counsel 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. 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.

7. In the premise, the impugned transfer order dated 03.08.2022 (Annexure P-2), impugned order dated 18.08.2022 (Annexure P-3) and impugned order dated 18.08.2022 (Annexure P-4) passed by respondent No.3 do not call for any interference from this Court in exercise of its extraordinary writ jurisdiction.

8. However, given the mitigating circumstances, petitioner is at liberty to pursue her cause with the competent authority and non-interference by this Court shall not be construed adversely by respondents.

9. Disposed of, accordingly.

(ARUN MONGA)
JUDGE

August 29, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No