

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

CWP-19943-2020 (O&M)

Date of decision: July 05, 2022

Dr. Satpal Singh Verma

.....Petitioner

versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Harkirat Singh, Advocate for
Mr. Vikram Singh, Advocate for the petitioner.

Ms. Mamta SinglaTalwar, DAG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing the impugned order dated 20.11.2020 (Annexure P-3) passed by respondent No.1 whereby petitioner was adjusted/ posted at Government Veterinary Hospital, Mullana, District Ambala, allegedly in violation of terms and conditions of the appointment order dated 23.02.2017 (Annexure P-1).

2. Learned counsel for the petitioner submits that the impugned order has been passed in violation of terms and condition No.5 of the appointment order dated 23.02.2017 (Annexure P-1) which states that posting shall be non-transferrable and non-interchangeable.

3. Learned State counsel opposes the prayer of the petitioner.

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.

6. In the premise, the impugned order dated 20.11.2020 (Annexure P-3) does not call for any interference from this Court in exercise of its extraordinary writ jurisdiction vested under Article 226 of Constitution of India.

7. Dismissed. However, it is made clear that dismissal of the petition shall not in any manner be construed to mean as non-continuation of services on the ground of not joining at the place of transfer and petitioner will be allowed to join at the new place of transfer so as to continue in service in accordance with law.

(ARUN MONGA)
JUDGE

July 05, 2022

vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No