

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-20799-2022

Date of Decision: 13.09.2022

Dalbir Singh

..... Petitioner

Versus

Indian Overseas Bank and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. G.S.Thind, Advocate, for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of certiorari quashing the order dated 29.06.2022 (Annexure P-3) issued by respondent No.3, whereby the petitioner has been ordered to be transferred from Rajpura Branch to Kharar Branch of the respondent-Bank; as also seeking directions to the respondents to allow the petitioner to serve in Patiala and also prayed that during the pendency of the petition, operation of the impugned order dated 29.06.2022 may kindly be stayed.

Notice of motion.

On the asking of the Court, Mr. Gaurav Goel, Advocate, accepts notice on behalf of the respondents.

The case of the petitioner is that the petitioner has been transferred from Rajpura Branch to Kharar Branch of the respondent-Bank, which is at a distance of about 45 kilometers. The mother of the petitioner who is residing at Patiala is having a heart problem. Therefore, the petitioner had made a prayer to the authorities for shifting him to Patiala, where he can ensure better treatment for his mother's medical ailment.

However, instead of accepting that prayer, the respondents have transferred him to a distant place at Kharar Branch.

Learned counsel for the respondents has submitted that the petitioner has completed five years' tenure at Rajpura. Under the policy of the respondent-Bank, the petitioner could have been transferred within a maximum distance of 50 kilometers of his present posting. The petitioner has been adjusted within the distance prescribed under the policy. The petitioner could not have been adjusted at Patiala because there is no vacancy available at that place. Hence, the present petition deserves to be dismissed.

Having heard the learned counsel for the parties, this Court does not find any substance in the arguments raised by the learned counsel for the petitioner. It is not even in dispute that the petitioner has completed five years of posting at Rajpura Branch. The petitioner has been transferred only in terms of the transfer policy of the respondent-Bank. Therefore, there is nothing inherently illegal in the action of the respondents. There is not even an allegation of mala fide against any person involved in the process. Needless to say that the petitioner cannot claim to be posted at any particular place as a matter of right. Therefore, this Court does not find any merit in the present petition as such.

Dismissed.

(RAJBIR SEHRAWAT)
JUDGE

13.09.2022
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No