

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

CWP-21482-2022 (O&M)

Date of decision: September 19, 2022

Krishna

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Gaurav Gaur, Advocate for
Mr. R.D. Gupta, Advocate for the petitioner.

Mr. Pankaj Middha, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of Certiorari for the limited setting aside of impugned order dated 13.09.2022 (Annexure P-1) *qua* the petitioner whereby she has been ordered to be transferred from WCDPO Rai, Sonipat to WCDPO Madho Singhana, Sirsa in derogation of the principles of natural justice, amended notification governing transfer dated 08.02.2022 (Annexure P-2) and in violation of options exercised by the petitioner (Annexure P-3).

2. Similar controversy involved herein has already been adjudicated upon by me on previous occasion though in somewhat different circumstances. I need not labour all over again. Reference in this regard may be had to my judgment/ order dated 16.09.2022 rendered in **CWP-21344-2022** titled **Rekha Rani versus State of Haryana and others**, relevant part whereof is extracted herein below:

“7. Transfer being matter of administrative exigency, this Court generally refrains to interfere and treads cautiously, unless it is a case of extreme hardship. This bunch of petitions do not make a case of the kind deserving 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.

8. Furthermore, in fact, I feel that the respondents have since sought prior willingness and choice of posting for transfer through online portal, the same only goes out to show that State functionaries are rather increasingly adopting an employee friendly and transparent mode in order to avoid any heartburn amongst the officials who are to be transferred due to administrative exigencies. Of course, options given by an employee are not binding but merely an indicator for employer to keep the same in mind while passing orders. Being so, I do not think it appropriate to interfere and create any hurdle in the process adopted by the State, particularly when mass transfers (as many as 340 transfers as reflected in Annexure P-1) have been carried out and, therefore, it cannot even be canvassed that only the petitioner(s) have been singled out by way of any mala fide and/or any collateral hostile discrimination of any kind.

9. Dismissed.

10. Pending civil miscellaneous applications, if any, also stand disposed of.”

3. These observations equally apply to the present case. In view of the above, instant writ petition also stands dismissed.

4. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

September 19, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No