

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

128

CWP-23729-2022

DATE OF DECISION: 17.10.2022

BALJINDER SINGH

... Petitioner(s)

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM LTD AND ORS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Mohnish Sharma, Advocate for the petitioner.

Mr. Dushyant Saharan, Advocate for the respondents.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 07.10.2022 (Annexure P-5) whereby he has been transferred from Sub Division Raipur Rani to Sub Division, UHBVN, Nissing, District Karnal which is at a distance of approximately 130.8 kilometres.

Learned counsel for the petitioner submits that transfer has been effected mid-term and the petitioner had put in only about 1 year and 4 months at his previous place of posting. He also submits that this is the third transfer of the petitioner since 2019. The wife of the petitioner is working in the office of the Accountant General, Punjab and posted at Chandigarh. The children of the petitioner are studying at Barwala. The transfer has been effected mid-term which is in violation of the transfer Policy that minimum tenure of the officer at a place of posting would be for a period of 3 years.

Issue notice to the respondents.

At the asking of the Court, Mr. Dushyant Saharan, Advocate accepts notice on behalf of respondents and submits that transfer of the petitioner had been ordered along with the other transfers due to administrative grounds.

Heard.

The petitioner has been transferred for the third time within a span of 3 years. The wife of the petitioner is also employed in the office of Accountant General, Punjab, Chandigarh. The petitioner has only put in 1 year and 4 months at the previous place of posting. It would be in the interest of justice if the impugned order is stayed and the petitioner be permitted to continue at the previous place of posting till 31.03.2023.

Consequently, the petition is disposed of and the impugned order dated 07.10.2022 (Annexure P-5) qua the petitioner is stayed and he is permitted to continue at the previous place of posting till 31.03.2023. Thereafter, the case of the petitioner for transfer would be considered by the respondents in accordance with the transfer Policy in the annual transfer drive.

(ANUPINDER SINGH GREWAL)
JUDGE

17.10.2022
SwarnjitS

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