

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

**CWP-28226-2022 (O&M)
Date of decision: 08.12.2022**

Santosh Kumar

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Rishav Jain, Advocate for the petitioner.

Mr. Pankaj Middha, Additional A.G. Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing order dated 15.11.2022 (Annexure P-5), whereby additional charge of PR Centre, Hodal has been withdrawn from the petitioner and therefore he has to now go to PR Centre Hassanpur as PDS Incharge, which work he was earlier handling from PR Centre, Hodal only.

2. On advance notice, the learned State counsel appears and opposes the petition, arguing that transfer policy is merely directory in nature and guidelines contained therein are not mandatory in nature.

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. Doing or not doing so is not a punishment, but an integral part of service conditions.

6. Further more, no doubt, the petitioner is a disabled person as has been pleaded by him, but the fact that for the past one year he has already been handling the additional charge of PR Centre, Hassanpur, he cannot now as a matter of right claim that he should be allowed to continue in both the places i.e. PR Centre, Hodal as well as Hassanpur. It is but natural that as and when a regular incumbent becomes available, the additional charge has to be withdrawn from the employee holding it.

7. In the premise, the impugned order dated 15.11.2022 (Annexure P-5) does not call for any interference from this Court in exercise of its extraordinary writ jurisdiction.

8. Disposed of, accordingly.

(ARUN MONGA)
JUDGE

December 08, 2022

ashish

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No