

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

CWP-29287-2022 (O&M)

Date of decision: 19.12.2022

Mahender and another

....Petitioners

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Ravi Sharma, Advocate
for the petitioners.

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 quashing transfer order dated 14.12.2022 (Annexure P-1), whereby the petitioners, who are working as Driver and Conductor, have been transferred from Hansi depot to Panchkula depot of the Haryana State Transport.

2. Learned counsel for the petitioner submits that impugned transfer order has been passed only on the basis of alleged report dated 30.10.2022 of misappropriation of Rs.400/- and proposing inquiry under Rule 7(4B) but the name of the rule has not been mentioned in the impugned transfer order.

3. On the other hand, learned State counsel 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. In the premise, the impugned transfer order dated 14.12.2022 (Annexure P-1) does not call for any interference from this Court in exercise of extraordinary writ jurisdiction.

7. Disposed of, accordingly.

(ARUN MONGA)
JUDGE

December 19, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No