

LPA-1193-2022
Decided on: 28.12.2022

Mahender and another Appellant

versus

State of Haryana and others Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

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

Ms. Rajni Gupta, Addl. AG, Haryana.

Manjari Nehru Kaul, J.(Oral)

Prayer in the instant appeal under Clause X of the Letters Patent is for setting aside the judgment/order dated 19.12.2022 passed by Single Judge in CWP No.29287 of 2022.

Learned counsel for the appellants submits that learned Single Judge failed to appreciate that the impugned transfer order dated 14.12.2022 (Annexure P-1) on the face of it was punitive in nature and based on a report dated 31.10.2022 qua misappropriation of Rs.400/-. Learned counsel further submits that learned Single Judge had erred in not appreciating that the impugned transfer order had been passed in contravention to the principles of natural justice.

Learned State counsel on instructions has apprised the Court that departmental proceedings have been initiated against the appellants for misappropriation of money.

Learned counsel for the appellants has not been able to controvert to the above submission made by the State counsel.

Heard learned counsel for the parties and perused the impugned judgment.

Since departmental proceedings already stand initiated against the appellants, the impugned transfer order cannot be faulted with as it falls within the ambit of administrative exigency.

We do not thus, find any illegality much less perversity in the impugned judgment passed by learned Single Judge, which would call for any interference by this Court in the present appeal.

The appeal being devoid of any merit stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

28.12.2022
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(SANDEEP MOUDGIL)
JUDGE

Whether reportable?:	Yes/No
Whether speaking/non-speaking?:	Yes/No