

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

CWP-29579-2018 (O&M)

Date of decision: October 18, 2022

Smt. Surinder Kaur

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Saurabh Mohunta, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of Certiorari for quashing order dated 25.10.2018 (Annexure P-7), whereby petitioner was transferred from PHC Arnauli, CHC Gulha, District Kaithal to PHC Kangthali, CHC Gulha, District Kaithal.

2. Learned counsel for the petitioner submits that order impugned herein is wrong, illegal and discriminatory. Husband of the petitioner and her son are suffering from Epilepsy and she has to take care of both of them.

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

6. In the premise, the impugned transfer order dated 25.10.2018 (Annexure P-7) does not call for any interference from this Court in exercise of its extraordinary writ jurisdiction.

7. Disposed of, accordingly.

(ARUN MONGA)
JUDGE

October 18, 2022

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No