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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-342-2023 (O/M) in
CWP-15669-2022
Date of decision : 29.3.2023

Ravinderpal Singh

..... Appellant

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. A.S. Manaise, Advocate
for appellant.

Mr. Dhruv Dayal, Additional A.G. Punjab.

Mr. Jugam Arora, Advocate
for respondent No. 6-caveator.

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HARINDER SINGH SIDHU, J.

Appellant-petitioner-Ravinderpal Singh has filed this Letters Patent Appeal against the judgment dated 2.3.2023 in CWP-15669-2022 titled as 'Ravinderpal Singh Versus State of Punjab and others' whereby, the writ petition filed by him was dismissed.

In the writ petition, appellant-petitioner has challenged his transfer from Aliwal Range, Gurdaspur to Forest Division, Phillaur Range, Jalandhar. The transfer was made within a period of 1 ½ years of his earlier transfer.

His primary contention, as noticed in the impugned order, was that the transfer was against the Policy (Annexure P-3) of the State, as per which, no employee can be transferred without completing 2 years.

Learned Single Judge, after relying on various decisions of Hon'ble the Supreme Court, held that the policy regarding transfer of an employee from one place to another is not enforceable before a Court of law. The purpose of such policies is to guide the officers regarding the transfer of employees. It does not confer a right on the transferred employee to challenge the transfer on the ground of it being in violation of the policy. The Court also held that the scope of judicial review in matters regarding transfer and posting of employees from one place to another is limited. Unless the transfer order is shown to be arbitrary or malafide, generally no interference can be made with the said order. In view thereof, the writ petition was dismissed.

In view of above, there is no illegality or infirmity in the judgment of Learned Single Judge warranting interference.

The appeal is accordingly dismissed.

(HARINDER SINGH SIDHU)
JUDGE

(LALIT BATRA)
JUDGE

29.3.2023
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No