

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

292

1. CWP-15507-2021 (O&M)

Date of decision: 24.01.2023

SARWAN SINGH AND ORS

..Petitioners

Versus

STATE OF PUNJAB AND ORS

..Respondents

2. CWP-1476-2022

MANPREET KAUR AND ANR

..Petitioners

Versus

STATE OF PUNJAB AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.P.S. Sidhu, Advocate
for the petitioners.

Mr. R.K. Kapoor, Addl. A.G. Punjab.

ANIL KSHETARPAL, J(Oral)

The petitioners pray for issuance of the writ in the nature of certiorari to quash the action of the respondents in not accepting the petitioners application for seeking transfer. The petitioners claim that in violation of Section 6 of the Punjab Education (Posting of Teachers in Disadvantageous Area) Act, 2021, certain employees have been transferred who are under probation. The petitioners claim to be similarly situated.

Article 14 of the Constitution of India enshrines right of equality as a positive concept. It cannot be used to perpetuate the illegality.

In view the aforesaid, no ground to issue the writ as prayed for by the petitioners.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

January 24th, 2023

(ANIL KSHETARPAL)

Ay

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*