

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 110

Civil Writ Petition No.13475 of 2023 (O & M)

Date of Decision: July 27, 2023

Baljit Singh @ Baljit Siwach

..... PETITIONER(S)

VERSUS

State of Haryana & others

..... RESPONDENT(S)

...

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

...

PRESENT: - Mr. Suresh Kumar Kaushik, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

CM No.11883 of 2023

The application is allowed and documents, transfer policy and transfer orders, are taken on record as Annexures P-6 and P-7, respectively.

Main Case

This petition has been filed seeking a writ of *certiorari* quashing the transfer order dated 31.05.2023/02.06.2023 (Annexure P-3), vide which the petitioner, working as Senior Lecturer, has been transferred from Government Polytechnic, Sonapat, to Government Polytechnic, Jhajjar.

2. Learned counsel for the petitioner contends that respondent No.5 was transferred on his own request, and therefore, as per the transfer policy, dated 06.10.2004 (Annexure P-6), he could only have been transferred against a vacant post.

3. The argument is without any basis. Firstly, the policy dated 06.10.2004 pertains to Class III and IV government employees for the year 2004-05, but the petitioner is working as Senior Lecturer, a Class II post. The policy has, therefore, no application in his case. Secondly, there is no averment anywhere in the petition that respondent No.5 has been transferred on his own request, nor any document to that effect could be shown to the Court. Consequently, the plea raised cannot be looked into.

4. In view thereof, there is no ground to entertain this petition.

5. Dismissed.

(Tribhuvan Dahiya)
Judge

July 27, 2023
avin

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No