

2023:PHHC:041426

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

CWP-9002-2022 (O&M)
Date of decision: 21.03.2023

Harmeet Singh

....Petitioner

Versus

Punjab and Haryana High Court, Chandigarh through its Registrar
General

..Respondent

CORAM: HON'BLE MR JUSTICE ANIL KSHETARPAL

Present:- Mr. Sahil Sharma, Advocate for the petitioner
Mr. Aditya Jain and
Mr. Rahul Vohra, Advocates for the respondent

ANIL KSHETARPAL, J (Oral)

1. Inter alia the petitioner prays for a direction to the respondents to decide his representation, which is stated to be pending for the last 5 years. It has also been prayed that the respondent should take a final decision on the recommendation of the Committee in its meeting held on 17.02.2017. Various other reliefs have also been sought. He also prays for a direction to the respondent to transfer him back from the District Court, Mansa to the District Court, Ludhiana.
2. In essence, the petitioner being an employee of the District Courts wants that he should be posted back only in District Ludhiana from where he was transferred in the year 2012 to District, Mansa. As per the stand of the respondent, the representation dated 05.12.2016 stands rejected.
3. As regards the recommendations in the meeting held on 17.02.2017, this Court has been apprised of the fact that the recommendations have been made for constituting a new inter District transfer committee. Hence, the recommendations previously submitted

do not survive.

4. The last important prayer of the petitioner is with regard to the direction to the respondent to transfer him back to District Ludhiana.

5. The petitioner was transferred to District Mansa after remaining posted for a period of 3 years at Ludhiana. Transfer of an employee is an incidence of the service. The petitioner does not allege an infringement of the service rules. He claims that by a common order, 12 employees were transferred out of the District, however, representation of 10 out of the 12 employees has been accepted and they have been transferred back whereas 11th employee has died.

6. In the considered view of the Court, such decision depends upon the particular facts of each case.

7. Keeping in view the aforesaid facts, no ground to issue the writ, as prayed for, is made out.

8. Hence, dismissed.

9. The minutes of the meeting held on 20.12.2022, produced by the learned counsel representing the High Court, in a sealed cover, as per the directions of the Chairman of the Committee, after perusal, have been re-sealed and returned back to him.

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

21.03.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE