

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

124

CWP-15188-2023

Date of Decision: 19.07.2023

Raj Satpal Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. A.K. Walia, Advocate
for the petitioner.

Mr. Paramjit Batta, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the transfer order dated 13.07.2023 (Annexure P-5), whereby the petitioner has been transferred from New District Jail Nabha to Central Jail, Sri Goindwal Sahib in District Amritsar.

2. Learned counsel for the petitioner submits that the petitioner is a physically disabled person and he has been transferred from New District Jail Nabha to Central Jail, Sri Goindwal Sahib in District Amritsar, which is about 180 Kms far away. The petitioner had met with an accident and remained on leave for a period from 23.05.2023 to 12.06.2023 as he was advised rest. He had earlier also prayed for transferring him to one Open Agriculture Jail, Nabha which seems to have annoyed the superior officers and therefore, he has been transferred from New District Jail Nabha to Central Jail, Sri Goindwal Sahib in District Amritsar. He further submits

that the order is clearly illegal and the same deserves to be quashed.

3. I have heard learned counsel for the petitioner at length and have considered the submissions.

4. Transfer and posting are exigencies of service and part of service incidents. No right is created or taken away from any individual employee being transferred from one place of posting to another. The fact of the petitioner being physically handicapped, does not impress the Court for interference with the transfer order dated 13.07.2023.

5. Keeping in view the above, no ground is made out to interfere in the order dated 13.07.2023 and accordingly, the present petition is dismissed.

19.07.2023

D.Bansal

(SANJEEV PRAKASH SHARMA)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No