

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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2023:PHHC:112045
CWP No.17126-2023
DECIDED ON: 28.08.2023

Baljit Kaur

....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr.V.K.Sandhir, Advocate, for the petitioner.

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

Mr. Gagneshwar Walia, Advocate,
for respondents no.2 to 4.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. The petitioner, by way of this writ petition, challenges the order dated 25.07.2023, whereby she has been transferred from Mansa to Malerkotla in compliance of the orders passed by this Court in CWP No.4321 of 2023 and COCP No. 1697-2023 whereby the other persons have been transferred back to Zila Parishad Mansa.

2. It is obvious that if an order of this Court is complied with and the transfer of the writ petitioner is required to be transferred, some other person will have to be shifted.

3. Admittedly, the order was passed in favour of one Hakam Singh by this Court whereby his transfer to Zila Parishad Malerkotla was stayed and in compliance thereof, he was again posted back to Zila Parishad Mansa. The petitioner was therefore, transferred to the new district formed at Malerkotla Zila Parishad. The petitioner has assailed her transfer without impleading the said person as a party. Further, this Court finds that the petitioner appears to be an old

litigant challenging her transfers. Even earlier she had filed a Civil Writ Petition

No.16407 of 2020 before this Court, whereby, her transfer from Mansa was stayed by this Court and later on the Govt. had withdrawn the said order. Encouraged by such order, she has again preferred the present writ petition which cannot be promoted. The petitioner has continuously remained at Mansa since 1993. The order has been passed by the State Govt. in terms of the powers contained under Sections 160 and 195(4) of the Punjab Panchayati Raj Act, 1994 and Punjab Panchayat Samities and Zila Parishad Employees which gives absolute power to the State Govt. to transfer any person from one district to another district.

4. The writ petition is wholly misconceived and the same is, therefore, dismissed.

(SANJEEV PRAKASH SHARMA)
JUDGE

28.08.2023
mamta

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