

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 24809 of 2022 (O&M)

Date of Decision: 03.02.2023

Ratinderpal Kaur and Another

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sarvdavinder Goyal, Advocate
for the petitioner(s).

Mr. D.K.Singal, Additional Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. The petitioners pray for directions to the respondents not to treat the post occupied by them as vacant for transfer. In essence, the petitioners apprehend that they will be transferred from their place of posting i.e. Government Sports Senior Secondary School, Ghudda.

2. In the month of July, 2022, a transfer drive of the employees was undertaken by the concerned authority. The petitioner No.1 is a Teacher of the Punjabi subject, whereas, the petitioner No.2 is a teacher of the English Subject. The petitioner No.1 was initially working in the Government Senior Secondary School, Pathrala, whereas the petitioner No.2 was working in the Government Senior Secondary School, Multania, respectively. Both have been permanently posted to the Government Sports Senior Secondary School, Ghudda.

3. The learned counsel representing the petitioners submits that such transfer is in violation of clause (7) of the transfer policy. The State, while filing a reply, has stated that these Sports Schools have been opened by the Sports School Development Society, which were subsequently taken over by the Government. It has also been stated that the petitioners have already joined at the place of posting pursuant to their transfer orders.

4. Keeping in view the aforesaid stand of the State, this Court does not find it appropriate to exercise its extraordinary writ jurisdiction to enforce a particular clause of the transfer policy particularly when the petitioners have already joined at their place of posting. Hence, the present writ petition is dismissed.

5. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

February 03, 2023
“DK”

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