

[149] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-26352-2023

Date of Decision :23.11.2023

Viresh Singh Jasrotia

...Petitioner

versus

State of Punjab and others

....Respondents

Coram : **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**

Present : Mr. Damanjeet Singh Batalvi, Advocate and
Mr. Rapinder Dhillon, Advocate
for the petitioner.

SANJEEV PRAKASH SHARMA, J. (ORAL)

[1] The petitioner by way of this writ petition has prayed that his representation for transfer has not been considered while the representation made by respondent No.7 has been considered and thus there is a disparity in the approach adopted by the respondents.

[2] I have considered the submission and find that respondent No.7 was posted at Guru Nanak, Block Hajipur as Head Teacher and was transferred on his representation to GES, Naushera Pattan in Block Mukerian-1. The petitioner although has no *lis* with respondent No.7, seeks to get quashed the order passed in his favour and submits that the petitioner had moved representation and had also sent legal notice but the petitioner's representation has not been considered.

[3] Transfer is an exigency of service. It is for the State Government to decide as to whether a representation seeking transfer should be allowed or not. No two cases can be said to be similar.

Grounds for seeking transfer cannot be the same, although they may be similar. However, the same does not create disparity if one of the representations of an individual is accepted, it is not necessary that representation of all the employees should be accepted.

[4] In view of above, the writ petition is wholly frivolous and is accordingly dismissed.

[5] Learned counsel states that the transfer policy ought to be followed. However, this Court finds that the word transfer policy itself denotes that it is a policy of the State Government which cannot be made enforceable in law.

[6] In view thereof, the second contention raised by learned counsel for the petitioner is also devoid of merits and is accordingly rejected.

(SANJEEV PRAKASH SHARMA)
JUDGE

23.11.2023

'Rajneesh'