IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 15535 of 2024
Decided on : 18.12.2024

Sh. Surinder Kumar

…Petitioner

Versus

State of Himachal Pradesh and others.

…Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

Whether approved for reporting?[1]

For the petitioner	**:**	**Mr. Imran Khan, Advocate.**
For the respondents	**:**	**Mr. Pushpinder Jaswal, Additional Advocate General.**

Ajay Mohan Goel, Judge *(Oral)*

By way of this writ petition, the petitioner assails order dated 06.12.2024, Annexure P-1, in terms whereof the petitioner has been transferred from PAS Baijnath, District Kangra, H.P. to 2nd IRBN Sakoh, District Kangra, H.P.

2. Learned counsel for the petitioner submits that the petitioner is to superannuate in the month of April, 2025. Accordingly, he submits that in the light of the fact that about four months now remain in the superannuation of the petitioner,

1*Whether reporters of the local papers may be allowed to see the judgment?*

the transfer order is bad, more so, in light of the fact that as the residence of the petitioner is in the vicinity of Baijnath, he may be permitted to continue to serve at his present place of posting i.e. PAS Baijnath, District Kangra, H.P and order dated 06.12.2024, Annexure P-1, be set aside.

3. Without dwelling on any other aspect of the matter and taking into consideration the fact that the petitioner has only about 3-4 months of service left, this Court is of the considered view that no public interest is going to be served by disturbing the petitioner at the fag end of his service career. Otherwise also, the transfer order indicates that 52 incumbents have been transferred in terms of the order, meaning thereby that it is a routine transfer order. The transfer order does not mention anything incriminating against the petitioner, so as to entail his transfer pending four months of his superannuation.

4. Accordingly, this writ petition is allowed. Office order dated 06.12.2024, Annexure P-1, qua the petitioner, is quashed and set aside and respondents are directed to allow him to continue to serve at his present place of posting, till his superannuation. Pending miscellaneous application(s), if any,

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also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

December 18, 2024
(Shivank Thakur)