

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

LPA-254-2024 (O&M)

Date of decision : 30.04.2024

Sunil Kumar Tundwal

.....Appellant

Versus

The Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE LAPITA BANERJI

Present: Mr. Aditya Yadav, Advocate,
for the appellant.

Ms.Madhu Dayal, Advocate,
for respondents No.2 to 4.

G.S. SANDHAWALIA, ACTING CHIEF JUSTICE (Oral)

1. The present appeal is directed against the order dated 20.01.2024 passed by the learned Single Judge, whereby CWP-1271-2024 filed by the appellant herein was dismissed, and the order dated 12.12.2023 (Annexure P-10) whereby request of the writ petitioner to continue on the post of Manager at Rewari was rejected and he was asked to join at Jind, was upheld.

2. Learned counsel for the appellant has referred to his counter-affidavit dated 25.04.2024, to submit that there are other persons, who are continuing to work in Rewari Centre beyond a period of five years.

3. It is settled principle that the writ court will not as such go into the issue of transfer till there is any malafide alleged. As per the settled law, in the absence of the same, if by way of an exigency, an employee has been transferred, it is not within the purview of the judicial review as such to

interfere with the orders of transfer. Reliance can be placed upon the judgments of the Apex Court in **Union of India Vs. S.L. Abbas, (1993) 4 SCC 357; State of U.P. and others Vs. Gobardhan Lal, 2004 (2) SCT 368;** and **Rajendra Singh and others Vs. State of Uttar Pradesh and others, (2009) 15 SCC 178.**

4. In such circumstances, we are of the firm opinion that there is no scope for interference in the well reasoned order passed by the learned Single Judge.
5. Resultantly, the appeal is dismissed *in limine*.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

(LAPITA BANERJI)
JUDGE

April 30, 2024
ndj

Whether speaking/reasoned	Yes
Whether reportable	No