

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

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**CWP No.2627 of 2024
Date of Decision : 6.2.2024**

*Rajesh Bajaj and others**..... Petitioners**versus**State of Haryana and another**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. S.K. Malik, Advocate, for the petitioners

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the Transfer Drive, 2023, for the post of Assistant, dated 13.12.2023, being arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India.

2. Learned counsel for the petitioners contends that out of total three hundred seventy seven posts of Assistants, one hundred seventy seven posts are lying vacant. But the petitioners have been given a choice of filling stations in the Transfer Drive only for thirty-five posts with twenty seven stations. It has further been contended that initially, the petitioners were asked for posting in any of these one hundred seventy seven vacant posts. However, later most of the posts were blocked and the petitioners were asked to give choice only for thirty-five. This is arbitrary and illegal, and also a violation of the transfer policy.

3. Heard.

4. As apparent on record, the Department notified Transfer Policy

for online transfer of Clerical category (Deputy Superintendent, Assistant and Clerk) on 22.6.2022. The latest transfer drive was scheduled under this Policy by taking 30.11.2023 as the cut-off date. Last date for filling choice of stations by employees was 22.1.2024, and the last date for submitting re-choice by them was 5.2.2024. Final transfer order was to be generated on 12.2.2024. Apparently, the petitioners have approached this Court after the last date to fill choice of stations. Besides, learned counsel for the petitioners has not been able to refer to any document or material on record establishing that one hundred seventy seven posts of Assistants are lying vacant in the Department, or that the employees were asked to give choice of stations against all those posts initially. He has also not been able to point out any document establishing that the posts which were earlier open for submissions of options, were later blocked by the respondents. Therefore, no arbitrariness could be established.

5. Accordingly, finding no merit in the petition, it is hereby dismissed in *limine*.

(TRIBHUVAN DAHIYA)
JUDGE

6.2.2024
Ashwani

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