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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-18274-2024(O&M)
Date of decision: 02.08.2024

Rajbir Singh

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. R.S. Dhull, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the impugned transfer order dated 11.07.2024 (Annexure P-1) vide which the petitioner has been transferred against his consent in the last year of his service before retirement.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been transferred vide Annexure P-1 from the post of Technician 1st Grade to the office of the Executive Engineer/EMD-VI, under SE/O&M-VI, Unit 8, PTPS, Panipat. He submitted that although the petitioner is transferred in the same city but since only 8 months of his service is left, the order of transfer is not in accordance with law as he will not be able to perform his duties at the place where he is now proposed to be posted.



3. After hearing the learned counsel for the petitioner, this Court is of the considered view that it is a settled law that transfer is an incidence of service and normally the Court would not interfere in the orders of transfer unless there is an extreme and special circumstance on the face of it. There can be judicial review of an order of transfer of employee when there is any *mala fide* substantiated or there is violation of any statutory provision. The facts of the present case suggest that the petitioner is being transferred within the same city and therefore, the mere fact that only 8 months are left would not entitle the petitioner to challenge the same before this Court because there is no extraordinary and special circumstance against which the petitioner is seeking any relief.

4. The present petition being devoid of any merit is hereby dismissed.

(JASGURPREET SINGH PURI)
JUDGE

02.08.2024
rakesh

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