



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

143

CWP-17338-2025

Decided On: 01.07.2025

RAM NIWAS YADAV

....PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sajjan Singh, Advocate
for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

TRIBHUVAN DAHIYA J.(Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order dated 30.05.2025, Annexure P-12, whereby the petitioner, who is working as Principal, has been transferred from Government College for Girls, Gulha Cheeka, District Kaithal, to Government College, Hathin, District Palwal.

2. Learned counsel for the petitioner contends that the petitioner's wife is working as Lecturer in Physical Education with the Chandigarh Administration. As per Government instructions dated 26.09.1986, Annexure P-18, female employees who are living with their husbands should not normally be transferred unless it is considered absolutely unavoidable on administrative grounds. Husband and wife should be posted at the same station as far as possible. Accordingly, the petitioner should not have been transferred to a far away place at Palwal. It has also been contended that the petitioner's father suffered paralytic attack in April, 2025, and his mother is also suffering from age-related ailments. These facts, however, have not

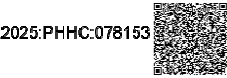


been considered by the respondent Department in transferring the petitioner. It has further been contended that the impugned transfer order has not been issued in public interest; rather, it is an outcome of the complaint dated 01.07.2024, Annexure P-8, submitted by the third respondent alleging that the petitioner has been unduly pressurising her, and has given her charge of NSS in the College despite conveying inability. A reference has also been made to another letter dated 09.05.2024, submitted by Ms. Priyanka Nain, Assistant Professor (Physics), expressing her inability to continue as Co-convenor of the Internal Complaints Committee (ICC) of the College on account of distress.

3. Learned State counsel, however, contends that the impugned transfer order has been passed in public interest on administration grounds. The petitioner is working on a transferrable post, and can be posted anywhere in the State.

4. Heard.

5. Undisputedly, the petitioner is working on a transferrable post, and has no right to remain posted at any particular station. The instructions dated 26.09.1986, relied upon by learned counsel for the petitioner, do not entitle him to remain posted at Government College for Girls, Gulha Cheeka, District Kaithal. The instructions, apparently, have been issued keeping in view the interest of female employees living with their husbands and will have no application to the petitioner's case. Besides, there is no substance in the arguments that impugned order has been issued due to complaint dated 01.07.2024, submitted by the third respondent, who is working as Assistant Professor (Music Instrumental), as it only conveys her inability to take charge of NSS. There is nothing on record, nor could any plausible connection be established by the learned counsel between the said letter and the impugned



transfer order; the letter was addressed to the petitioner, whereas the order was passed by Additional Chief Secretary, Higher Education Department. Further, medical condition of the petitioner’s parents in itself can also not be a ground to seek cancellation of the impugned transfer order in the facts of the case.

6. In view thereof, there is no ground to entertain the present petition and it stands dismissed *in limine*.

01.07.2025
Ad

(TRIBHUVAN DAHIYA)
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No