



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

CWP-20643-2025

Date of Decision: 03.09.2025

Kalpna Goyal

...Petitioner

Vs.

State of Punjab and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Karan Singla, Advocate with
Ms. Malvi Aggarwal, Advocate
for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

N.S.Shekhawat J.

1. The petitioner has filed the present writ petition under Article 226/227 of the Constitution of India with a prayer to issue a Writ in the nature of Certiorari for quashing the impugned order dated 05.06.2025 (Annexure P-14) passed by the respondent No.2. A further prayer has been made to issue a writ in the nature of Mandamus to direct the respondents to consider the case of the petitioner for general transfer in view of the Teachers Transfer Policy-2019 (Annexure P-1) dated 25.06.2019 and to direct the respondents to open the online portal to allow the petitioner to rectify the defects, if any, on the part of the petitioner in the online application for transfer.

2. Learned counsel for the petitioner has vehemently argued that the petitioner was appointed as a teacher in the Department of Education, State of Punjab and she joined her duty on 31.10.2008. The Department of Education has formulated a teachers transfer policy on 25.06.2019 which provides the



complete procedure for effecting the transfers of all teaching cadre posts. Even, subsequently an amendment was carried out on 26.02.2024 (Annexure P-2). On 24.07.2024, the respondent No.2 issued a general notice (Annexure P-3) to transfer the teachers in the State of Punjab as per Teachers Transfer Policy-2019 and the online applications were invited from all the eligible employees, who were to be considered for transfer. Since, the petitioner was eligible, she applied for transfer in view of the Teachers Transfer Policy-2019 and as per the screenshot (Annexure P-4), she had filed her service details. However, the petitioner was shocked to note that the case of the petitioner for transfer was not considered by citing a totally wrong reason i.e “Service History Mismatch” (Annexure P-5). The petitioner visited the office of respondent No.2 and requested him to open the online portal to allow her to rectify the defects, if any, in the online application for transfer, but no response was received. Ultimately, on 29.08.2024, respondent-department transferred various employees and their transfer orders were uploaded on their respective E-Punjab IDs. The petitioner also got a notice dated 29.08.2024 (Annexure P-6) issued by the respondents, but no action was taken.

3. Ultimately, the petitioner filed a CWP-21650-2024, seeking the writ of Mandamus for directing the respondents to consider the case of the petitioner for general transfer. During the course of hearing, the petitioner did not press the writ petition and sought liberty to file appropriate representation, raising the grievance before the authorities concerned. In the meantime, the petitioner submitted a representation dated 11.01.2025 (Annexure P-11) to respondent No.2 regarding her transfer, but again no response was received



from the department. The petitioner again filed CWP-5350-2025 with a prayer to issue directions to the respondents to consider the case of the petitioner for general transfer, however, the said writ petition was again disposed of with a direction to respondent No.2 to decide the representation dated 11.01.2025 within a period of two months. Ultimately, vide impugned order (Annexure P-14), the representation submitted by the petitioner was rejected by passing an illegal and non-speaking order. Learned counsel further submits that the petitioner is a chronic disease patient, which is apparent from the Certificate (Annexure P-16) issued by the concerned authority.

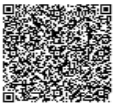
4. Learned counsel further submits that the case of the petitioner for general transfer has been wrongly rejected on the ground that wrong particulars were filled in the online application by the petitioner and “Service History Mismatch” was mentioned as the reason for rejection of the application of the petitioner. In fact, no time was granted by the respondents to the petitioner to get the same rectified. Even, no prejudice was going to be caused to anyone, in case the application of the petitioner for online transfer would have been considered by the respondents.

5. I have heard learned counsel for the petitioner and with his able assistance; I have perused the record.

6. Undoubtedly, the State of Punjab had issued “Teachers Transfer Policy-2019” on 25.06.2019, which was made applicable to all teaching cadre posts. The said policy also provided that the general transfers will be made only once in a year and the employees were bound to apply online, by mentioning their complete service particulars, while applying for general transfer. Even, the



policy also provided a procedure, which would be followed, on receipt of an online application for general transfer. However, it was also mentioned in the policy that every teacher will be responsible for the accuracy and regular updation of data in the MIS in respect of his/her credentials. In case, he/she notices any discrepancy, he/she will get it rectified by adopting due procedure after producing relevant evidences before the DDO/School Head concerned. He/she shall also be responsible for the updation of the profile as and when any status is changed. Any wrong data entry will invite disciplinary action. In the present case also, in pursuance to the general notice dated 24.07.2024 (Annexure P-3), the petitioner had applied for general transfer. Even, in the general notice (Annexure P-3) also, it was clearly mentioned that in case of incomplete or wrong details, request for transfer of the concerned employee will not be considered. In the present case, admittedly, the petitioner had wrongly mentioned the details relating to her service record and it was mentioned that the petitioner was in service w.e.f 31.10.2008. In fact, from a perusal of record, it is apparent that even though the petitioner had initially joined the department on 31.10.2008, but she was regularized w.e.f 01.04.2011 and admittedly, the particulars were wrongly filled by the petitioner herself. Thus, the case of the petitioner for general transfer has been rightly rejected as she had entered the incorrect details in her service data for transfer and she was not found eligible for transfer due to the objection of "Service History Mismatch". At this stage, while rejecting the case of the petitioner, the petitioner has also been granted the liberty to apply for transfer by entering her correct data for transfer, when the general portal for transfer is opened by the



department.

7. Thus, no serious prejudice has been caused to the petitioner and she would be at liberty to apply again in terms of the Teachers Transfer Policy-2019, after entering her correct data/service record.

8. Thus, in view of the above discussion, findings no merits in the instant case, the present petition is ordered to be dismissed.

03.09.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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