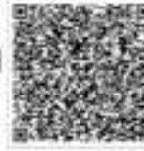


2025:PHHC:127601



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

SR. NO.118

**CWP-26863-2025 (O&M)
DATE OF DECISION:15.09.2025**

KANWALJIT SINGH

...PETITIONER(S)

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Swapan Shorey, DAG, Punjab.

N.S. SHEKHAWAT, J.

1. The petitioner has filed the present petition before this court with a prayer to issue a writ in the nature of certiorari for quashing the office order No. 734547 E-1/(5)202525166-69 dated 22.08.2025 (Annexure P-15), passed by respondent No. 2, whereby the petitioner has been transferred from Government Senior Secondary School, Sahri, Tehsil Nakodar, District Jalandhar to Government Senior Secondary School, Majitha, District Amritsar.

2. Learned Counsel for the petitioner submitted that the petitioner was initially appointed as a Punjabi Master and now has been promoted to the post of Lecturer (English). He was also honoured by the District Education Officer (Secondary), Jalandhar on 15.08.2016 and SDM, Nakodar

in the year 2022. The petitioner was transferred as Lecturer (English) and School In-charge, Government Senior Secondary School (Girls), Sahri, Tehsil Nakodar, District Jalandhar.

3. Learned counsel further submitted that Baljinder Kaur, respondent No. 7, also joined as an English teacher in the same school on 26.08.2021. She was on probation for three years but, by exercising her political influence, she got herself transferred temporarily at Shaheed Lakhvir Singh, GHS, Demru Khurd, Moga, on 11.12.2023 till 31.03.2024 by violating the rules and regulations formulated by the government, as there was no sanctioned post of English teacher in the said school.

4. Learned counsel next contended that the petitioner informed the higher authorities that no English teacher was available in the school and respondent No. 7 was paid salary from the school itself. She was a temporary employee, still had been transferred from the school. Due to this, respondent No. 7 was annoyed with the petitioner and she also moved a complaint against the petitioner by levelling false allegations against him. A show-cause notice was issued to the petitioner and an inquiry was made. However, finding no truth in the complaint submitted by respondent No. 7, the inquiry was filed.

5. Learned counsel further submitted that vide order dated 23.06.2025 (Annexure P-8), the petitioner was also assigned the work of administrator as well, keeping in view his good performance, he was entrusted with making all internal arrangements in the school as well. He further submitted that in the meantime, the probation of respondent No. 7 was not cleared and a report was sought from the District Education Officer in this regard. Still further, the Principal, Government Girls Senior

Secondary School, Sahri (Jalandhar) was directed to take immediate action regarding the clearance of the probation period of respondent No. 7 and a compliance report was sought immediately.

6. Learned Counsel also submitted that respondent No. 7 made repeated efforts and pressurized the officials to clear her probation period. Consequently, a letter dated 11.07.2025 (Annexure P-13) was sent by the Principal/In-charge, Government Senior Secondary School, Sahri, to the Secretary, Department of Education in this regard, highlighting not only the said request but also the complaints regarding negligence and irregularities allegedly committed by respondent No.7. Learned counsel also contended that the petitioner was the in-charge of the school and had sent a letter dated 13.07.2025 (Annexure P-14) to the concerned Senior Superintendent of Police to take action against respondent No.7, as his service book had been taken out without following the due procedure. However, the petitioner was shocked to know that without any fault on his part, vide the impugned order (Annexure P-15) dated 22.08.2025, he was ordered to be transferred illegally.

7. Learned counsel for the petitioner further submitted that the petitioner has been transferred only to give undue benefit to respondent No.7 and he had performed his official duties as per law. Even the petitioner has acted on the orders of his superiors and it was his duty to check the illegal activities of the erring employees of the school. However, the petitioner has been victimized without any fault on his part.

8. On advance notice, Mr. Charanpreet Singh, AAG, Punjab, has appeared on behalf of the official respondents and on instructions from the respondents, submits that as per the directions issued by District Education

Officer, Jalandhar, vide order No. AMLA-3/D.D.O. Powers-2025/168399-403 dated 17.06.2025, one Kamal Gupta was deputed with DDO powers at the Government Senior Secondary School, Sahri, District Jalandhar (Punjab). However, multiple complaints were received from the school staff members regarding the behaviour and action of the petitioner, who had disrupted the functioning of the school.

9. Learned State counsel further submitted that even, a complaint was received to the effect that that the petitioner had installed a CCTV camera in the ladies' staff room with live feed accessible via his personal mobile phone, which created discomfort among the female staff members. Instead of fulfilling his teaching duties, he frequently involved staff in unproductive meetings and discussions, hampering the school operations. Apart from that, the important administrative documents such as diary register, dispatch register and order book were kept by him, even though the school clerk was entitled to keep those documents with him and the administrative work was obstructed. Even due to continued harassment by the present petitioner, one teacher and school clerk requested to transfer out of the school during the current session.

10. Learned State counsel further submitted that not only the petitioner has been transferred from the present school to Government Senior Secondary School, Majitha, Amritsar, but respondent No.7 has also been transferred from the present school to Government Senior Secondary School, Bagha Purana, District Moga, so that the administration of the school runs smoothly and the studies of the students in the school are not adversely affected.

11. I have heard learned counsel for the parties and perused the record carefully.

12. In the present case, the petitioner has challenged his transfer on the ground that he has been victimised at the instance of respondent No.7 only and he had performed his duties as per law. However, it is apparent from the stand taken by the learned State Counsel that now even respondent No. 7 has also been ordered to be posted at Government Senior Secondary School, Bagha Purana, District Moga. Still further, it is also apparent from the statement made by the learned State Counsel that several complaints had been received against the petitioner, which included the installation of a CCTV camera in ladies' staff room and the live feed was accessible on his personal mobile phone, which created discomfort among the female staff members. Not only this, one teacher and one school clerk had requested transfers out of the school during the current session, due to continued harassment by the petitioner and he was keeping the important documents with him, which were supposed to be kept by the school clerk. Thus, it is apparent that there is no illegality in transferring the petitioner as well as respondent No.7 from the Government Senior Secondary School, Sahri, District Jalandhar.

13. Still further, it is a settled position of law that an employee has no vested right to seek transfer to a particular place or seek not to be transferred from a particular station. It has been held by the Hon'ble Supreme Court in **S.K. Naushad Rehmad and others vs. Union of India and others**, Civil Appeal No.1243 of 2022, decided on 10.03.2022, that an employee has no fundamental right or for that matter a vested right to claim transfer or posting of his choice. The individual convenience of persons,

who are employed in service, is subject to overreaching needs of the administration.

14. Considering the peculiar facts and circumstances of the case noted above, this Court has no hesitation to hold that there is no merit in the present petition and accordingly, the same is hereby dismissed. Pending application(s), if any, shall also stand disposed of.

(N.S. SHEKHAWAT)
JUDGE

15.09.2025
mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO