



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.113

CWP-35135-2024 (O&M)
Date of Decision: 14.01.2025

Umesh Kumar

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Anil Kumar Sharma, Advocate for the petitioner.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the order dated 05/06.12.2024, Annexure P-1, whereby the petitioner, who was working as Principal in the Government Senior Secondary School, Harodi, Charkhi Dadri, has been transferred to Government Senior Secondary School, Fatehpur, Kaithal, against vacancy on administrative ground.

2. Learned counsel contends that transfer order has been passed on extraneous grounds only to punish the petitioner since he marked the tenth respondent, who is working as Assistant Block Resource Coordinator (ABRC) in the School, absent from duty. The tenth respondent is habitual of remaining absent and has also tampered with the School attendance record, which is apparent from photocopies of the attendance register, Annexure P-4. This was reported by the petitioner to the Additional Chief Secretary, School Education Department, Haryana, also vide letter dated 24.10.2024.



Instead of taking action against the tenth respondent, the petitioner has been punished by way of this transfer.

3. Heard.
4. Considering the submissions made by the learned counsel, this Court is not inclined to interfere in the matter. Undisputedly, the transfer is an incident of service and the petitioner has been transferred against a vacant post on administrative grounds. The allegations of it being influenced by the tenth respondent, who was working as ABRC in the Haryana School Shiksha Pariyojna Parishad and posted in the School, are too far fetched to be accepted. There is no reasonable basis to connect the impugned order of transfer passed by the Special Secretary to the tenth respondent, nor is it believable that merely because a complaint has been made by the petitioner against the tenth respondent, the latter would hoodwink senior officers of the Department to transfer the former as a measure of punishment. Besides, no *mala fides* have been alleged against anybody so far as the impugned transfer order is concerned.
5. In view thereof, there is no ground to entertain the petition, and it stands dismissed *in limine*.

(TRIBHUVAN DAHIYA)
JUDGE

14.01.2025
Maninder

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