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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 18409/2025, CM APPL. 76225/2025 & CM APPL. 76226/2025**

SHAILESH KUMAR JHA

.....Petitioner

Through: **Mr. Ashutosh Mishra & Mr. Chirayu Bhatt, Advs.**

versus

PUNJAB NATIONAL BANK & ORS.

.....Respondents

Through: **Mr. Rajesh Kumar Gautam, Ms. Likivi K Jakhalu, Mr. Aman Gahlot & Mr. Deepanjal Choudhary, Advs.**

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

11.12.2025

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1. This petition is filed seeking quashing of transfer order dated 11.11.2025 whereby the petitioner has been transferred from Delhi to Kishangarh, Rajasthan.
2. The relevant facts are that the petitioner is working as Assistant General Manager (AGM) (Scale-V) and is presently posted at Punjab National Bank (PNB), Extra Large Corporate Branch (ELCB), Connaught Place, New Delhi. The impugned transfer order was passed transferring thirty nine officials and the name of the petitioner is at serial no. eleven.
3. Aggrieved of the transfer order, this petition is filed.
4. Learned counsel for the petitioner submits that the transfer of the petitioner was in violation of the transfer policy effective from 01.04.2025 and the Department of Financial Service (DFS) guidelines dated 26.11.2024 which prohibits mid-term transfer. The contention is that the action of



transfer is malafide as a consequence of the litigation filed by the petitioner challenging his non-selection to the promoted post.

5. Per contra, the policy relied upon by the petitioner is not applicable as policy is meant for Scale I, II & III but the petitioner is in Scale V. The contention is that due to administrative reasons and that the services of the petitioner were required in a new branch (mid-corporate credit branch) being opened at Kishangarh the petitioner was transferred.

6. It is objected that the allegation of malafide is a bald statement and no official by name has been impleaded. The pending intra-court appeal is qua the petitioner and the bank and has nothing to do with the transfer order.

7. Heard learned counsel for the parties at length. No other contention than the one noted above has been pressed.

8. From the perusal of the policy, it is evident that the transfer policy applies only to Scale I to III officers and is not applicable to Scale V officers, for this reason the DFS guidelines issued for the transfer policy will be of no avail to the petitioner.

9. Be that as it may, even in the transfer policy relied upon by the petitioner the words used are ‘as far as possible’ mid-term transfers shall be avoided and there is no absolute bar for mid-term transfers in the policy.

10. The scope of interference in transfer orders in writ jurisdiction is limited and reference in this regard be made to decision of Supreme Court in **Shilpi Bose & Ors. v. State of Bihar & Ors. 1991 Supp (2) SCC 659**. The relevant portion is quoted below:

“4. In our opinion, the courts should not interfere with a transfer order which is made in public interest and for administrative reasons unless the transfer orders are made in violation of any mandatory statutory rule or on the



ground of mala fide. A government servant holding a transferable post has no vested right to remain posted at one place or the other, he is liable to be transferred from one place to the other. Transfer orders issued by the competent authority do not violate any of his legal rights. Even if a transfer order is passed in violation of executive instructions or orders, the courts ordinarily should not interfere with the order instead affected party should approach the higher authorities in the department. If the courts continue to interfere with day-to-day transfer orders issued by the government and its subordinate authorities, there will be complete chaos in the administration which would not be conducive to public interest. The High Court overlooked these aspects in interfering with the transfer orders.

5. We accordingly allow the appeal, set aside the order of the High Court and dismiss the petition filed by the respondents. The appellants should be posted to the places to which they had been transferred under the orders impugned before the High Court. There will be no order as to costs.”

11. The petitioner failed to substantiate the argument that the transfer order suffers from vice of malafide. There are no specific pleadings in the writ petition of malafides against any official. No official by name has been arrayed as party in the writ petition. The contention of malafide is without foundation.

12. On failure of the petitioner to show that the transfer is in statutory violation or is a consequence of malafide action, no case is made out for interference in writ jurisdiction.

13. The writ petition is dismissed.

AVNEESH JHINGAN, J

DECEMBER 11, 2025/‘JK’