



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

225

CWP-14654-2023 (O&M)
Date of decision: 14.05.2026

Ramesh Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Munish Puri, Advocate
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. The present petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking a writ of certiorari, for quashing of the order dated 30.06.2023 (Annexure P-5), whereby the petitioner, mentioned at Sr. No.30, has been transferred from Gurdaspur to Bathinda, fourth time in less than three years. Further, a writ of mandamus has been sought for directing the respondents to allow the petitioner to continue to work at his present place of posting i.e. Sewadar O/o Soil and Water Conservation Department, District Gurdaspur or any other nearby office of the said department near to the place of his residence.
2. Learned counsel for the petitioner submits that the petitioner has been transferred for the fourth time within a period of three years, which is totally illegal and arbitrary.

3. In the written statement filed by respondents No.1 to 3, it has been stated as under:-

*“3. That the writ petition of the petitioner is not maintainable as the transfer orders of petitioner issued vide endorsement No.8144-98/D2 (**Annexure P-5**) dated 30.06.2023 is correct and as per the notification issued by Punjab Government for the annual general transfers of employees. The petitioner has been transferred from Gurdaspur to Bathinda in the public interest by competent authority.*

*4. That it is submission of petitioner that he has been transferred 4 times in last 3 years is patently wrong and grossly misleading. The petitioner's last inter-district transfer from Bathinda to Gurdaspur district was effected on 31.08.2020 i.e. nearly three years back as referred to by the petitioner in **Annexure P-2**. The other postings referred vide **Annexure P-3 and P-4** and termed as transfers by the petitioner, are infact within-district adjustments/postings at Batala and Gurdaspur offices effected by local Gurdaspur office within its jurisdiction area/sub-offices as per work and staff requirement. The same can be inferred from orders appended by petitioner at **Annexure P-3 and P-4**, which are issued by local Gurdaspur office.*

5. That the petitioner has been rightly transferred from Gurdaspur to Bathinda district during annual general transfers-2023 in public interest by competent authority therefore the writ petition is devoid of any merits and the same is liable to be dismissed.”

4. Learned State counsel submits that even otherwise now the petitioner has already completed about three years service under the interim orders passed by this Court, vide order dated 13.07.2023.

5. It is a well settled proposition of law that the transfer is an incidence of service and an employee cannot choose his place of posting. Since the petitioner, apart from the fact that the earlier transfers of the petitioner were within the same district and he has already completed more than three years at the present place of posting, therefore, there is no merit in the present petition, which is hereby

dismissed.

6. Pending applications, if any, stand disposed of.

14.05.2026

(NAMIT KUMAR)

Vinay

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No