



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

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CWP-3808-2025

Date of decision: 18.02.2025

SATPAL SINGH

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Vikas Lochab, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

Mr. Pankaj Midda, Advocate for
respondents No.3 and 4.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 28.01.2025 (Annexure P-3) whereby he has been transferred from Municipal Corporation, Sonipat to Municipal Corporation, Fatehabad.

2. The petitioner claims that he was posted at Sonipat in July, 2024 and within a short span of 07 months has been transferred to Fatehabad. The respondent's act is contrary to general transfer Policy dated 13.02.2020 framed by the State Government.

3. Per contra, learned counsel for the respondents submits that there is no *mala fide* on the part of the respondents. The policy dated 13.02.2020 is inapplicable to the petitioner because it is not a case of online



transfer and cadre strength of Sanitary Inspector is less than 500. The petitioner has been transferred on administrative grounds.

4. I have heard the counsel for the parties and perused the record.

5. From the perusal of the impugned order, it is evident that the petitioner has been transferred from Municipal Corporation, Sonipat to Municipal Corporation, Fatehabad. He is holding the post of Senior Sanitary Inspector. He was posted at Sonipat in July, 2024 and has been transferred to Fatehabad within 07 months.

6. A three Judge Bench of Hon'ble Supreme Court in '**Major General J.K. Bansal Vs. Union of India and others**' (2005) 7 SCC 227 has held that scope of interference by the courts in regard to transfer is very limited and narrow. The relevant extracts of the judgment read as:

"11. Similar view has been taken in National Hydroelectric Power Corporation Ltd. vs. Shri Bhagwan and another (2001) 8 SCC 574, wherein it has been held that no Government servant or employee of a public undertaking has any legal right to be posted forever at any one particular place since transfer of a particular employee appointed to the class or category of transferable posts from one place to another is not only an incident, but a condition of service, necessary too in public interest and efficiency in the public administration. Unless an order of transfer is shown to be an outcome of malafide exercise of power or stated to be in violation of statutory provisions prohibiting any such transfer, the courts or the tribunals cannot interfere with such orders, as though they were the appellate authorities substituting their own decision for that of the management."

7. Considering the facts of present case and judgment of Hon'ble Supreme Court in **Major General J.K. Bansal (supra)**, this Court does not



find any reason to interfere with the order dated 28.01.2025 (Annexure P-3) passed by respondent No.3.

8. In the wake of above discussion and findings, the present petition deserves to be dismissed and accordingly dismissed.

18.02.2025

Nisha Yadav

**(JAGMOHAN BANSAL)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No