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

CWP-25692-2025

Date of Decision:03.09.2025

Gurwinder Singh Bhangu

...Petitioner

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. N.P.S.Mann, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Articles 226/227 of the Constitution of India with a prayer to issue a writ in the nature of *Certiorari* for quashing of the order dated 19.08.2025 (Annexure P-3) passed by respondent No.2, whereby the petitioner has been wrongly and illegally transferred from Block Nabha, District Patiala to Block Samana, District Patiala i.e. in the same district at the fag end of his service, in violation of the policy dated 30.07.2013 (Annexure P-4) and 23.04.2018 (Annexure P-5).

2. Learned counsel for the petitioner argues that the petitioner is an Ex-Serviceman and was appointed as Panchayat Secretary in the Rural Development and Panchayats Department on 01.09.1997. During his service career, he was promoted to the post of Panchayat Officer on 15.08.2015. In the year 2022, the petitioner was serving in Block Bassi Pathana, District Fatehgarh Sahib and vide order dated 30.06.2022, he was ordered to be transferred from Block Bassi Pathana, District Fatehgarh Sahib to Block Patiala, District Patiala.

He further contends that vide order dated 05.08.2025(Annexure P-2), the petitioner was transferred from Block Patiala, District Patiala to Block Nabha, District Patiala i.e. within the same district. In compliance of the order dated 05.08.2025 (Annexure P-2), the petitioner had joined at Block Nabha, District Patiala, however, within a period of 15 days, vide impugned order dated 19.08.2025 (Annexure P-3), the petitioner has been transferred from Block Nabha, District Patiala to Block Samana, District Patiala by completely ignoring the Policies of the State Government. He further contends that while transferring the petitioner, the official respondents completely failed to appreciate that the petitioner is going to retire on 31.03.2027 and only the service of 01 year and 07 months is left. Even the work and conduct of the petitioner was always appreciated by his superiors and nothing adverse was there on record against him. He further contends that as per the policy dated 23.04.2018 (Annexure P-5), it has been clearly stated that no Group C employee shall be transferred from his post within the period of two years of his place of posting and in case, any such transfer is to be made, special reasons have to be assigned, before the expiry of period of two years. Now, the petitioner was posted at Block Nabha, District Patiala on 05.08.2025 and within a period of 15 days, he has been transferred from Block Nabha, District Patiala to Block Samana, District Patiala without assigning any specific reasons. He further contends that the petitioner is living only with his wife as his children are living abroad. Apart from that, his wife is not maintaining good health and the petitioner will have to face lot of difficulties, due to the impugned order passed by the respondent-authorities.

3. On the other hand, learned State counsel submits that even though, the petitioner was transferred on 05.08.2025 (Annexure P-2), however, due to the administrative reasons, the petitioner has been ordered to be transferred from Block Nabha, District Patiala to Block Samana, District Patiala, which is at a distance of about 36 kms. Moreover, the employer always has the right to transfer the employees and the policies (Annexure P-4 and P-5) are only guiding principles for making transfers and have no binding effect on the employers.

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

5. From the record, it is apparent that admittedly, the petitioner was serving at Block Bassi Pathana, District Fatehgarh Sahib to Block Patiala, District Patiala since 30.06.2022. Vide order dated 05.08.2025, the petitioner was transferred from Block Patiala, District Patiala to Block Nabha, District Patiala itself. Both the places were situated in the same district. Now, vide impugned order dated 19.08.2025 (Annexure P-3), the petitioner has been ordered to be transferred from Block Nabha, District Patiala to Block Samana, District Patiala which is at a distance of 35/36 kms and it cannot be said that the petitioner will face any hardship in getting transferred at such a short distance. Even otherwise, the petitioner is only staying with his wife and his children are staying abroad. Consequently, it cannot be said that the other family members of the petitioner will be adversely effected by any such transfer. Even otherwise, the transfer is an incident of service and it is within the discretion of the employer to post the employees by keeping in view the smooth functioning of the administration by the employer. Even the policies, which have been

promulgated by the State, are only guiding principles and cannot be strictly complied with, for making the transfers.

6. No ground is made out and the present petition is ordered to be dismissed.

03.09.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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