

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

**CWP No. 12429 of 2017
Decided on: May 31, 2017**

Yashpal Singh

.... Petitioner

Versus

State of Punjab & Anr.

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Ms. G.K. Mann, Advocate,
for the petitioner.

M.M.S. BEDI, J (ORAL)

The petitioner claims that he is posted as Defence Service Welfare Officer at Hoshiarpur. Due to Vidhan Sabha Election, he was transferred to Jalandhar which is 110 kms away from his residence. The petitioner is due to retire on 28.02.2018 on attaining the age of superannuation. It is claimed that according to the instructions of the Punjab Government, the petitioner can have appointment in the home station within two years of his retirement so that he could prepare the pension documents and other retiral benefits.

Learned counsel for the petitioner submits that the petitioner has submitted representation dated 19.04.2017 (Annexure P-4). However, vide order Annexure P-2 dated 24.05.2017, he has been transferred from Jalandhar to Muktsar Sahib with an additional charge of Faridkot.

Notice of motion to Advocate General, Punjab.

On asking of the Court, Ms. Anu Pal, AAG, Punjab who is present in the Court, accepts notice on behalf of the State. Copy supplied.

Without expression of any opinion on the merits of the case, whether the transfer policy is mandatory or directory, it is deemed appropriate to dispose of the petition with a direction that the request of the petitioner for transfer in the light of the policy may be considered by the Secretary, Defence Service Welfare Department, Chandigarh by considering the representations (Annexures P-4 and P-5) dated 19.04.2017 and 26.05.2017 within a period of 20 days after the receipt of certified copy of this order. It will be appreciated in case a speaking order is passed and the same is communicated to the petitioner.

Status quo regarding place of posting of the petitioner during pendency of the consideration of representations shall be maintained.

**(M.M.S. BEDI)
JUDGE**

May 31, 2017

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No