

(2020) 11 SHI CK 0109
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 2482 Of 2020

Jai Pal

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 10-11-2020

Acts Referred:

Citation : (2020) 11 SHI CK 0109

Hon'ble Judges : L. Narayana Swamy, CJ;Anoop Chitkara, J

Bench : Division Bench

Advocate : Ashok Sharma, Ritta Goswami, Vinod Chauhan

Final Decision : Dismissed

Judgement

L. Narayana Swamy, CJ

1. Petitioner, by way of the writ petition in hand, has called in question transfer order, dated 16th July, 2020 (Annexure P-1) whereby he has been transferred from Sub Divisional Kanungo Circle, Sub Divisional Office, Jogindernagar, District Mandi to Regional Kanungo Circle Jogindernagar, Tehsil Jogindernagar District Mandi, H.P.

2. The main ground of attack is that the petitioner is at the verge of retirement since he is due to retire on 30th April, 2021, and in view of the transfer policy occupying the field, an employee, who is to retire within a period of two years, is not to be disturbed and is to be posted at a station of his choice, but, the respondents-authorities, contrary to the transfer policy, have passed the impugned transfer order.

3. Respondents No. 1 and 2 have filed the reply wherein it has been stated that the petitioner, who was working at Sub Divisional Office, Jogindernagar has been transferred to Field Kanungo Circle, Jogindernagar, at the same station, where he was working earlier. Further submitted that since the petitioner has been transferred just from one office to the another at the same station, the question

of disturbing the petitioner at the fag end of his service does not arise.

4. We have heard learned counsel for the respective parties.

5. In view of the fact that the transfer of the petitioner has been effected within the same station, i.e. Jogindernagar, just from one office to another, it cannot be said that the petitioner has been disturbed.

6. Under these circumstances, we are not inclined to interfere with the impugned transfer order. The writ petition is accordingly dismissed, so also the pending miscellaneous applications, if any. Interim directions, if any, shall also stand vacated.