

(2013) 07 P&H CK 0011
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 14862 of 2013 (O and M)

Ravinder Pal Singh

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 15-07-2013

Acts Referred:

Citation : (2013) 07 P&H CK 0011

Hon'ble Judges : Tejinder Singh Dhindsa, J

Bench : Single Bench

Advocate : H.S. Virk, for the Appellant;

Final Decision : Dismissed

Judgement

Tejinder Singh Dhindsa, J.—The petitioner, who is serving as a Constable under the Punjab Police had earlier approached this Court by filing CWP No. 3266 of 2013 impugning an order dated 07.4.2012, whereby he had been transferred from Punjab Armed Police Hospital, Jalandhar to Kapurthala on general duty. Such writ petition was disposed of on 14.2.2013 with the directions to the D.G.P., P.A.P., Jalandhar to consider and decide the legal notice dated 1.11.2012 that the petitioner had got served against the impugned order of transfer. In purported compliance of the directions issued by this Court a speaking order dated 15.5.2013 at Annexure P-8 has been passed, whereby his claim has been rejected. The present writ petition has been filed impugning such speaking order dated 15.5.2013 (Annexure P-8).

2. The solitary ground of challenge pressed by learned counsel for the petitioner is that the A.D.G.P., Armed Battalion, Jalandhar Cantt. vide document at Annexure P-9 stated that the petitioner who stands posted in P.A.P. Hospital at Jalandhar Cantt. should not be sent to any other posting except for duty in the hospital itself. It is in terms of placing heavy reliance upon such recommendation/order at Annexure P-9 that counsel contends that the petitioner could not be assigned to any other posting of general duty and as such his transfer from P.A.P.

Hospital, Jalandhar to Kapurthala was bad in law.

3. Having heard learned counsel for the petitioner at length, I am of the considered view that the present writ petition is totally misconceived.

4. It is not disputed by learned counsel that the petitioner had been enlisted as a Constable in the year 1995. His service conditions would be governed under the provisions of the Police Act, 1861 and Punjab Police Rules, 1934. Counsel has not been able to advert to any provision under the Act or the Rules which would enjoin the petitioner to be retained for duty only at one place of posting i.e. at P.A.P. Hospital, Jalandhar. The petitioner having been enlisted as a Constable was open to be transferred to any part of the general police district. There is no infirmity in the order, whereby the petitioner stands transferred from P.A.P. Hospital, Jalandhar Cantt. to Kapurthala. The impugned order dated 15.5.2013 at Annexure P-8 is a well reasoned speaking order which furnishes cogent and valid reasoning for rejecting the claim of the petitioner. No merit, petition dismissed.