



131 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12573-2026

DECIDED ON: 24.04.2026

SUNIL KUMAR

.....PETITIONER(S)

VERSUS

STATE OF HARYANA AND ORS

....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Saransh Sabharwal, Advocate for the petitioner(s)
Mr. Deepak Balyan, Addl. A.G., Haryana

SANDEEP MOUDGIL, J

Prayer

1. The present Petition has been filed under Article 226/227 of the Constitution of India seeking writ in the nature of certiorari for setting aside the impugned order dated 25.03.2026 (Annexure P-8) vide which the Petitioner has been Transferred from the Office of Divisional Forest Office, Research Division, Pinjore at (Pinjore) to Office of Forest Settlement Pinjore at (Panchkula -Morni Road) as the same has been issued in violation of the Letter dated 26.12.2024 (Annexure P-1) and Policy dated 23.05.2025 (Annexure P-7)

Brief Facts

2. The petitioner is employed as an Assistant in the Forest Department, Government of Haryana. By order dated 25.03.2026, he was transferred from the Divisional Forest Office, Research Division, Pinjore to the Forest Settlement Office, Pinjore (Panchkula–Morni Road).



3. Prior to the impugned order, the petitioner had also been transferred on earlier occasions within a span of approximately two years, including orders dated 09.01.2025, 08.04.2025 and 08.05.2025.

4. The Government of Haryana has issued various instructions and policies governing transfers of employees, including letters dated 06.12.2017, 12.04.2017, 26.01.2024, 26.12.2024 and a Transfer Policy dated 23.05.2025, along with procedures prescribed under the Human Resource Management System (HRMS).

5. The petitioner has challenged the transfer order dated 25.03.2026 in the present writ petition filed under Articles 226/227 of the Constitution of India, seeking its quashing. The petitioner asserts non-compliance with the applicable policies and guidelines. The respondents contest the claim.

6. Hence, this petition.

Contentions

On the behalf of petitioner

7. Learned counsel for the petitioner contends that the impugned transfer order dated 25.03.2026 is arbitrary, illegal and has been issued in violation of the transfer policies and guidelines framed by the Government of Haryana. It is submitted that once a policy governing transfers has been formulated, the authorities are bound to act in accordance with the same, and any deviation without justification renders the action unsustainable in law.

8. It is further contended that the petitioner has been subjected to frequent transfers, having been transferred four times within a span of about two years, which is contrary to the settled policy providing for a normal tenure of three



years at a place of posting. The impugned transfer, therefore, defeats the very object of ensuring stability in service.

9. Learned counsel also submits that the mandatory procedure prescribed under the applicable guidelines has not been followed, inasmuch as the transfer has neither been based on any prior approval/advisory from the competent authority nor processed through the prescribed HRMS mechanism, thereby vitiating the impugned order.

10. It is further argued that the impugned transfer order is non-speaking and does not disclose any administrative exigency or reason necessitating the transfer of the petitioner before completion of his tenure. Such absence of reasons renders the order arbitrary and violative of Articles 14 and 16 of the Constitution of India.

Analysis

11. Upon consideration of the record and submissions, this Court finds it apposite to reproduce the impugned order dated 25.03.2026 (Annexure P-8) hereunder:

“ With regard to smooth functioning of the government works, Shri Sunil Kumar, Assistant working in the office of Divisional Forest Officer, Research Division, Pinjore, is hereby depute on additional duty in the office of Forest Settlement Officer, Pinjore, for which no additional pay/honorarium will be given to the employee.”

A plain reading of the impugned order makes it evident that the petitioner has not been transferred in the strict sense but has been assigned additional duty in the office of the Forest Settlement Officer, Pinjore. The language of the order does not indicate displacement from his original post; rather,



it reflects an administrative arrangement whereby the petitioner has been entrusted with additional responsibilities.

12. In such circumstances, the contention of the petitioner that the impugned order violates the transfer guidelines contained in letter dated 26.12.2024 (Annexure P-1) and the Transfer Policy dated 23.05.2025 (Annexure P-7) is found to be misplaced. The said policies govern regular transfers, whereas the present case pertains to assignment of additional duty, which falls within the administrative discretion of the competent authority and does not attract the rigours of the transfer policy in the manner sought to be argued.

13. No material has been placed on record to demonstrate that the assignment of additional duty is in contravention of any statutory provision or binding policy. In the absence of any such violation, no arbitrariness or illegality can be attributed to the action of the respondents.

Conclusion

14. Accordingly, this Court is of the considered view that no ground is made out to interfere in exercise of writ jurisdiction under Articles 226/227 of the Constitution of India. The present writ petition is, therefore, dismissed.

15. Ordered accordingly.

(SANDEEP MOUDGIL)
JUDGE

24.04.2026

anuradha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No