



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

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CWP-11745-2026

Date of decision: 20.04.2026

Amrit Pal Singh

....Petitioner

Versus

Punjab State Agricultural Marketing Board and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Puneet Gupta, Advocate
for the petitioner.

Mr. Abhilaksh Gaiind, Standing Counsel
for respondents No.1 to 4.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the impugned Office Order dated 15.04.2026 (Annexure P-10) and the impugned Office Order dated 16.04.2026 (Annexure P-11) whereby the service of the petitioner has been transferred from Market Committee, Rupnagar to Market Committee, Bilga, District Jalandhar. Further prayer has been made by the petitioner to restrain the respondents from effecting such transfer and for grant of any other appropriate relief.

2. Learned counsel for the petitioner, *inter alia*, contends that the impugned order(s) dated 15/16.04.2026 (Annexures P-10 and P-11, respectively) have been passed by the Chairman, Punjab State Agricultural Marketing Board, S.A.S. Nagar (Mohali), who is not the



appointing authority of the petitioner and, therefore, lacks jurisdiction to effect such transfer. He further submits that under Rules 6 and 11 of the Punjab Market Committees (Class III) Service Rules, 1989, only the appointing authority is competent to order transfer. He further contends that the action of the respondents is contrary to the office Instructions dated 13.10.2020 (Annexure P-12) requiring mutual consent of the concerned Market Committees and is also violative of Articles 14 and 16 of the Constitution of India. In support of his arguments, learned counsel for the petitioner has relied upon the judgment rendered by this Court in ***Rana Sukh Raj vs. Punjab State Agricultural Marketing Board, 1996(1) SCT 602***, and contends that the Board has no authority to transfer an employee from one Market Committee to another.

3. *Per contra*, learned counsel for respondents No.1 to 4, appears on advance notice and submits that the impugned order(s) dated 15/16.04.2026 (Annexures P-10 and P-11, respectively) have been passed in administrative exigency and in larger public interest, particularly in view of the ongoing harvesting/procurement season. He further submits that the petitioner, being an Auction Recorder, performs crucial duties relating to recording auctions, verification of transactions and ensuring smooth procurement operations. His temporary deployment for a limited period of 90 days is necessitated by seasonal requirements and does not suffer from any illegality. He further submits that the judgment relied upon by the petitioner is distinguishable on facts as it pertains to a transfer of Mandi Supervisor and the petitioner



cannot rely upon the orders or instructions issued by the same authority while simultaneously questioning its competence.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. The core issue which arises for consideration is whether the impugned order(s) dated 15/16.04.2026 (Annexures P-10 and P-11, respectively) passed by respondent No.2, warrant interference of this Court in exercise of writ jurisdiction under Article 226 of the Constitution of India or not.

6. There is no dispute to the fact that the Punjab Market Committees Bye-laws, particularly Clause 24, provides that the administrative control over the staff vests in the Secretary of the Market Committee, and also delineates the duties of various employees, including that of an Auction Recorder. The Auction Recorder is entrusted with responsibilities such as recording auctions, maintaining relevant registers, cross-checking transactions and assisting in fee-related matters. Importantly, the nature of duties also involves checking and verifying the price, quantity and identity of the seller, who has sold the agricultural produce in the Market Committee. These functions are crucial for ensuring transparency and smooth functioning of market transactions, especially during peak procurement periods. Further, the Auction Recorder performs his duty on the auction floor verifying the quantity, quality and identity of the seller which is critical to the smooth



procurement. Further, the very nature of his duty, as defined under Clause 24 (supra) is field intensive.

7. In the present case, the impugned transfer of the petitioner is not a permanent transfer but a temporary arrangement for a limited period of 90 days to meet the exigencies of harvesting season. The respondents have specifically justified the same on grounds of administrative necessity and public interest. Such temporary deployment, necessitated by seasonal workload, cannot be equated with a regular transfer affecting the service conditions of the petitioner.

8. Further, the procurement of agricultural produce is a time-sensitive and an economically critical activity, directly impacting farmers' livelihoods and the stability of the supply chain. Ensuring transparency, accuracy, and efficiency in auction proceedings is therefore paramount. In such circumstances, the competent authority is well within its powers to effect short-term deployments to meet emergent exigencies. It is a settled principle of service jurisprudence that individual inconvenience or personal equities must yield to the larger public good, particularly where the deployment is neither punitive nor stigmatic but purely functional and temporary in nature. The balance of convenience unmistakably tilts in favour of the State, as any disruption in procurement operations would have cascading adverse consequences on farmers and the public at large. Consequently, such deployment cannot be assailed merely on grounds of personal hardship when it demonstrably advances a compelling public purpose.



9. The contention raised by learned counsel for the petitioner regarding lack of jurisdiction on the part of the Chairman of the Board is also not sufficient to warrant interference in the peculiar facts of the present case. The material on record indicates that the impugned action has been taken in furtherance of efficient market operations and does not result in any civil consequences of a serious nature so as to invoke the writ jurisdiction of this Court. Moreover, no *mala fides* have been substantiated by the petitioner.

10. The reliance placed by the petitioner on the judgment in ***Rana Sukh Raj's case (supra)*** is also misplaced as the said case pertains to a different factual matrix and does not deal with situations involving temporary deployment or engagement during peak procurement season. The same is, thus, distinguishable and does not advance the case of the petitioner.

11. It is also pertinent to note that the petitioner continues to hold the same post and his lien is not disturbed. The temporary arrangement neither alters his cadre nor affects his seniority or other service benefits. In absence of any prejudice being caused to the petitioner, no interference by this Court is called for.

12. In view of the above, this Court finds no illegality or infirmity in the impugned order(s) dated 15/16.04.2026 (Annexures



P-10 and P-11, respectively) passed by respondent No.2, warranting interference under Article 226 of the Constitution of India.

13. Consequently, the present writ petition is dismissed.

(HARPREET SINGH BRAR)
JUDGE

20.04.2026

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No