

NATIONAL INDUSTRIAL RELATIONS COMMISSION
LAHORE BENCH LAHORE

Case No.4B(546)/25-L

Before: MUHAMMAD SIRAJ-UL-ISLAM KHAN, MEMBER

Nouman Aziz Vs. NGC

Present: Mr. M. Zubair Tariq, Advocate for the petitioner.
Mr. Aizaz Ghani, Advocate for the respondents.

O R D E R

27.02.2026

The learned counsel for the petitioner submits that the petitioner was transferred from Sheikhpura to Lalian vide office order dated 20-11-2025. The learned counsel for the petitioner submits that this transfer is not a routine transfer made by the respondent on administrative grounds rather it is a punishment. He further submits that an inquiry was conducted against the petitioner, according to which, a penalty was imposed on 17-11-2025 upon the petitioner and the said penalty orders is going to be challenged in this Commission. He further argued that the petitioner is a low grade employee and it would be inappropriate to transfer the said employee to a station which is a far-away from his residence.

2. On the other hand, the learned counsel for the respondents submits that the petition is not maintainable as the same has been filed without serving the grievance notice. She further submits that the so-called grievance notice was served on 25-11-2025, just after 2 days on

/

27-11-2025, this grievance petition has been filed which is violation of the provision of Section 33 of the IRA, 2012, so this petition is pre-mature. She further argued that the petitioner has been transferred due to administrative reason by the competent authority and it is the prerogative of the employer to transfer any employee at anywhere just to run the work of the establishment smoothly. They have denied the other averments and prayed for dismissal.

3. Arguments of learned counsels for both the parties have been heard and record perused.

4. It is well settled law that the employer has an inherent right to transfer its employees from one place to another place for smooth working of the establishment and such right of employer cannot be curbed or taken away. There is nothing on record to show that respondent has committed any illegality while transferring the petitioner. Mere bald allegation is not sufficient to hold that the same has been committed by the respondent. Vague & general allegations have been leveled in the grievance petition. Issuance of transfer order against the petitioner for the best working of the establishment is not a victimization on the part of respondent, therefore, the same cannot be set-aside. It has been held in case of **Tariq Mehmood Malik v. Chief Executive Officer and others [2018 PLC (CS) 664]** that the employee had no vested right to

remain posted at a place of his own choice nor could he insist that he must be posted at one place or the other. The competent authority had prerogative to transfer any employee and as a general rule the courts should refrain from interfering in posting and transfer matters, when there was no element of malafide, illegality and violation of the regulations/SOPs of the establishment.

5. No doubt, it is an established principle of law that an employee cannot be transferred on account of allegation as punishment. The learned counsel for the petitioner submits that the petitioner was undergone with a departmental inquiry and against such inquiry a punishment of recovery was imposed on 17.11.2025 and due to this inquiry, he was transferred. This plea is of no legal consequence as the recovery was imposed on 17.11.2025 and the transfer of the petitioner was made on 20.11.2025 on administrative grounds.

6. Since, the petitioner has failed to establish that he has been transferred with malafide as a result of unfair labour practice, so there is no justification to declare the same as illegal. Hence, the petition having no force is hereby dismissed alongwith the stay application bearing No.01/2025-L. No order as to costs. File be consigned to record room after its due completion.

(Muhammad Siraj-ul-Islam Khan)
Member