

(2023) 02 SHI CK 0022
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 534 Of 2023

Aparna

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 07-02-2023

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2023) 02 SHI CK 0022

Hon'ble Judges : Sushil Kukreja, J

Bench : Single Bench

Advocate : Amar Deep Singh, Vishal Panwar, Rajat Chauhan

Final Decision : Disposed Of

Judgement

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Sushil Kukreja, J

1. The present petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking the following substantive relief:-

"i) That the order dated 05.08.2022 contained in Annexure P-2 may very kindly be ordered to be implemented and the Respondents, more particularly, Respondent No.3 may be directed to relieve the Petitioner from her present place of posting to join in station of transfer."

2. The case of the petitioner is that she is serving as a Staff Nurse at Pandit Jawahar Lal Nehru Government Medical College, District Chamba and has been transferred to Civil Hospital, Theog vide impugned transfer order dated 5.8.2022 (Annexure P-2). Thereafter, petitioner had filed representation to respondent No.2 stating therein that she had proceeded on leave on 5.8.2022 and on maternity leave on 13.8.2022, hence, in such peculiar case, it has become difficult for her to get relieved and join at the transferred station.

3. Notice. Mr. Vishal Panwar, learned Additional Advocate General, accepts notice

on behalf of the respondents.

4. At this stage, learned counsel for the petitioner has stated that the petitioner would be satisfied if the respondents are directed to decide the representation which shall be filed by the petitioner within two days, in some time bound manner.

5. Accordingly, without adverting to the merits of the case, this petition is disposed of with a direction to respondent No.2 to decide the representation to be filed by the petitioner within two days, in some time bound manner, preferably within a period of one week from the date of receipt of the representation, strictly in accordance with law.

Pending application(s), if any, shall also stand disposed of.