
(2019) 12 P&H CK 0251

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 36378 Of 2019 (O&M)

Gurinder Singh

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 16-12-2019

Acts Referred:

Citation : (2019) 12 P&H CK 0251

Hon'ble Judges : Arun Monga, J

Bench : Single Bench

Advocate : Pankaj Sharma, P.S. Bajwa

Final Decision : Disposed Of

Judgement

1. Grievance of the petitioner is that vide impugned transfer order dated 20.11.2019 (Annexure P-3), the petitioner has been transferred from Patiala to Mansa in violation of the Transfer Policy of Department of Water Supply and Sanitation (B & R-II Branch), Government of Punjab (Annexure P-5).

2. Inter alia, contends that it was on the request of the petitioner that he was transferred to Patiala so as to enable him to avail medical treatment. Notwithstanding, merely after 4 months of his having been posted at Patiala, he has been once again transferred vide order dated 20.11.2019 impugned herein.

3. Learned counsel for the petitioner contends that the transfer order has been passed to accommodate respondent No. 4 who is already at Patiala working for the last 18 years. He further submits that petitioner submitted a representation dated 25.11.2019 (Annexure P-4) but the same has not been adverted by the respondents till date. Hence, the writ petition.

4. Notice of motion.

5. On advance service of copy of the petition, Mr. P.S. Bajwa, Additional A.G., Punjab appears on behalf of respondents.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the present writ petition is disposed of with a direction to the respondents to consider the representation dated 25.11.2019 (Annexure P-4) sympathetically keeping in mind the peculiar medical condition of the petitioner as is borne out from medical certificates contained at Annexure P-6 and also by keeping in view the contentions stated in this petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

8. It would be appreciated that if the petitioner can be accommodated either at Patiala or around Patiala to enable him to avail his medical treatment.

9. Let the needful be done within a period of 30 days from the date of receipt of certified copy of this order.

10. Until the passing of fresh order as aforesaid, the operation of impugned transfer order dated 20.11.2019 (Annexure P-3) shall remain stayed qua the petitioner.

11. Disposed of in above terms.