
(2010) 07 P&H CK 0232
In the Punjab And Haryana At Chandigarh

Lakhvir Kaur and Others

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 26-07-2010

Acts Referred:

Citation : (2010) 07 P&H CK 0232

Hon'ble Judges : Ajai Lamba, J

Bench : Single Bench

Judgement

Ajai Lamba, J.—This shall dispose of bunch of writ petitions viz. Civil Writ Petition Nos. 11109 of 2010 Lakhvir Kaur v. State of Punjab and Ors., 11183 of 2010 Satbir Kaur v. State of Punjab and Ors., 11181 of 2010, Harjit Kaur v. State of Punjab and Ors., 11177 of 2010 Sukhjinder Kaur v. State of Punjab and Ors., 11116 of 2010 Amarjit Kaur v. State of Punjab and Ors. and 11238 of 2010 Navtej Singh and Ors. v. State of Punjab and Ors.

2. For reference to record, Civil Writ Petition Nos. 11109 of 2010 Lakhvir Kaur v. State of Punjab and Ors. is being taken up.

3. Learned Counsel for the petitioner (s) contends that the incumbent Director, Health & Family Welfare, Government of Punjab, cancelled the orders of transfer issued by the earlier retiring Director, without any application of mind, causing undue hardship to persons such as the petitioner(s), just after a month of earlier transfer orders.

4. Learned Counsel has pointed out that the issue has been dealt with by this Court in Order dated 6.7.2010 passed in Civil Writ Petition No. 11693 of 2010 titled Jasbir Kaur v. State of Punjab and Anr. and the present case be disposed of in the same terms.

5. Learned Counsel for the respondent-State contends that indeed the case of petitioner(s) would be considered in terms of the undertaking given in Court by Dr. J.P. Singh, present Director, Health & Family Welfare, Punjab, in the case of Jasbir Kaur (supra).

6. I have considered the contentions.

7. In Jasbir Kaur's case (supra), Dr. J.P. Singh had appeared and had brought to the notice of the Court that scores of transfers have been issued by the retiring Director. Without any discrimination, all the transfers have been cancelled so as to assess whether the transfers are in administrative exigency or not. Dr. J.P. Singh had further assured the Court that none of the orders has been passed with malafide intention. An assurance was given to the Court that the petitioner(s) would be heard and his/her case for transfer would be reconsidered considering the administrative exigency. Cases of transfers in relation to widows, physically handicapped persons, cases wherein transfer is on mutual request and where transfers have been effected on vacant posts, would be considered in the context of administrative exigency so that no hospital/office remains without posting of any official in public interest. The other cases would also be reconsidered.

8. Learned Counsel for the petitioner (s) states that the petitioner(s) would be satisfied to the reconsideration of his/her case in view of what has been stated by Dr. J.P. Singh, Director, Health & Family Welfare, Punjab, in Jasbir Kaur's case (supra).

9. In view of the above, the petitions are disposed of in terms of Order dated 6.7.2010 passed in Civil Writ Petition No. 11693 of 2010 titled Jasbir Kaur v. State of Punjab and Anr.