
(2010) 07 SHI CK 0079
In the High Court Of Himachal Pradesh

Smt. Anita Kaundal

APPELLANT

Vs

State of H.P. and Another

RESPONDENT

Date of Decision : 21-07-2010

Acts Referred:

Citation : (2010) 07 SHI CK 0079

Hon'ble Judges : V.K. Sharma, J;R.B. Misra, J

Bench : Division Bench

Judgement

R.B. Misra, J.—Heard. The present writ petition has been filed with the following prayers:

(i) That a writ in the nature of mandamus be issued thereby directing the respondents-department to transfer the petitioner from Community Health Centre, Dodra Kwar to either Community Health Centre, Baijnath, District Kangra in the interest of justice, equity and fair play.

(ii) That a writ in the nature of mandamus be issued whereby the respondents be directed to relieve the petitioner from the present place of posting forthwith.

2. According to Mr. Jagdish Thakur, the petitioner is working as Staff Nurse at CHC, Dodra Kwar, District Shimla and her husband is working as Veterinary Officer at Veterinary Hospital, Lambagaon, District Kangra, H.P. Both, the petitioner and her husband are working on contract basis. According to the petitioner, she wants her transfer/deployment/posting in the same area where her husband is transferred and for that purpose she has given two options and approached respondent No. 2. However, she was told orally that her request shall not be acceded to.

3. In the interest of justice, this writ petition is disposed of with the direction that the petitioner shall file a fresh representation along with supporting documents and copy of this order within two weeks to respondent No. 2, the Director of Health Services, Himachal Pradesh. Respondent No. 2 shall consider the grievance of the petitioner and options of posting suggested by her

sympathetically and keeping in view condition No. 5 of Office Order dated 16.7.2007. After hearing the petitioner or her representative, the respondent No. 2 shall decide the representation within three weeks after receipt of the same.

4. In view of the above observations, the writ petition is disposed of. Pending CMP(s), if any, shall also stand disposed of.