
(2023) 02 SHI CK 0031
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 688 Of 2023

Vijay Singh

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 16-02-2023

Acts Referred:

Citation : (2023) 02 SHI CK 0031

Hon'ble Judges : Satyen Vaidya, J

Bench : Single Bench

Advocate : Neel Kamal Sharma, B.C. Verma, P.P. Singh

Final Decision : Disposed Of

Judgement

Satyen Vaidya, J

1. Notice confined to respondents No.1 to 3, keeping in view the order, which is proposed to be passed by this Court in the instant petition. Mr. B.C. Verma, learned Additional Advocate General, appears and waives service of notice on behalf of the respondents.
2. Vide Office order dated 10.2.2023 (Annexure P-2), petitioner has been ordered to be transferred from Ayurvedic Health Centre, Shilla (Sirmour) to Ayurvedic Health Centre, Rasumandir (Sirmour) against vacancy. Petitioner is working as an Ayurvedic Pharmacy Officer.
3. Learned counsel for the petitioner has contended that it is a case of hardship being caused to the petitioner, as he is a patient of bone cancer and is under treatment at All India Institute of Medical Sciences, New Delhi. The grievance of the petitioner is that the place where he has now been transferred is a far off place in interior of Sirmour District and it will be very difficult for him to manage his treatment from such a place.
4. Petitioner has placed on record certain documents, prima facie, providing credence to his contention. However, it is more than settled that in case of

individual hardships, it is for the employer to look into the grievances of the employee. In this view of the matter, interest of justice will be served in case the grievance of the petitioner is considered by the employer.

5. Accordingly, the petitioner will submit his representation to respondent No.2 within three days from today and on such representation being made, respondent No.2 shall decide the same at the earliest and not later than a week thereafter. In order to maintain the equity, in the meanwhile, impugned order of transfer dated 10.2.2023 (Annexure P-2), shall remain stayed.

Petition is accordingly disposed of, so also, the pending application(s), if any.