

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**Civil Writ Petition No.13681 of 2015
Date of Decision:10.07.2015**

Rajinder Kumarpetitioner

Versus

State of Punjab and othersrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.Vivek Salathia, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

Notice of motion.

Mr.Anshul Gupta, Assistant Advocate General, Punjab, present in the Court, accepts notice. Requisite number of copies of the paper book have been supplied to him. In the wake of an order, I intend to pass in the matter in hand, no formal written statement by the State, at this stage, is necessary.

In short, the case set out by the petitioner is that vide order being assailed dated 30.06.2015 (Annexure P1), vide which Laboratory Technician Grade-I and Grade-II are transferred/adjusted pursuant to their requests, petitioner i.e. Rajinder, MLT has also been transferred from CHC Majitha, Amritsar to Civil Hospital, Mukerian, Hoshiarpur, vice Gaganjot Singh MLT, at Sr.No.16.

It is maintained that in fact, petitioner is actually posted

at Primary Health Centre, Thriewal, Amritsar, and was never posted at CHC Majitha, Amritsar, from where he sought to be transferred.

Learned counsel for the petitioner submits that though there is no formal order passed by the government vide which he has been ordered to be transferred from Primary Health Centre, Thriewal, Amritsar, yet, pursuant to the order being assailed dated 30.06.2015 (Annexure P1), petitioner is being relieved from the place of his posting i.e. Primary Health Centre, Thriewal, Amritsar. That being so, learned counsel for the petitioner submits that the petitioner even represented to the respondents, in this regard, vide a representation dated 07.07.2015 (Annexure P3), and, had thus, crystallised this discrepancy. But his representation continues to await consideration.

Learned counsel for the petitioner submits that, at this stage, let this petition be disposed of, only, with a direction to the respondents to consider and decide his representation (Annexure P3), within a specified time, as time is the essence of the situation.

Learned State counsel does not oppose this prayer and submits that a directions be issued to the respondents to consider and decide the representation made by the petitioner and the same shall be considered and decided within a period of one week from the receipt of the certified copy of this order.

That being so, and, without expressing any opinion on merits, the instant petition is disposed of, only with a direction to the respondents, to consider and decide the claim of the petitioner as set

out in his representation dated 07.07.2015 (Annexure P3), strictly, in accordance with law, within a period of one week, from the receipt of the certified copy of this order. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

10.07.2015

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(ARUN PALLI)
JUDGE