

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

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**Civil Writ Petition No.14266 of 2015(O & M)
Date of Decision:27.07.2015**

Harjinder Kaurpetitioner

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.R.D.Bawa, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

CM No.8852 of 2015

Application is allowed as prayed for, subject to all just exceptions. Annexure P5 is taken on record.

CM stands disposed of.

Civil Writ Petition No.14266 of 2015

A writ in the nature of certiorari is prayed for, so as to quash the order dated 10.07.2015 (Annexure P3), qua the petitioner, vide which she has been transferred from Industrial Training Institute (Women), Mohali, to Industrial Training Institute, Bassi Pathana.

It is maintained that the petitioner is suffering from breast cancer, a complicated chronic disease, and, is under a regular treatment from PGI, Chandigarh, as she has to undergo Radiotherapy and Chemotherapy. She has been advised light duty.

Vide order being assailed, she has been transferred to a station, which is at a distance of 45 Kms., and to cover 90 Kms. journey everyday, would cause her extreme hardship, particularly, in the wake of her deteriorating health. In fact, vide order dated 30.06.2015 (Annexure P5), respondent No.3 i.e. Shamsheer Singh Purkhalvi, was transferred from ITI Mohali (Women) to ITI Bassi Pathana and within 10 days of his transfer, vide order being assailed (Annexure P3), he has been transferred back to ITI Mohali (Women), and, instead the petitioner has been transferred vice respondent No.3.

Learned counsel for the petitioner contends that ex facie, the order of transfer of the petitioner has not been passed in public interest or to meet any administrative exigency but to serve the interest of the private respondent. He submits that prior to the institution of this petition, petitioner had even represented to respondent No.2, in this regard, but to no avail.

Learned counsel for the petitioner submits that, at this stage, let this petition be disposed of, with a direction to respondent No.2, to consider and decide the representation (Annexure P4) made by the petitioner, within a specified time.

That being so, and, without expressing any opinion on merits, the instant petition is disposed of with a direction to respondent No.2, to consider and decide the grievance of the petitioner as set out in her representation dated 14.07.2015 (Annexure P4), strictly, in accordance with law. As time is the essence of the situation, an appropriate order shall be passed, within a period of two weeks, 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.

27.07.2015

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(ARUN PALLI)
JUDGE