

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

125

**Civil Writ Petition No.14532 of 2015
Date of Decision:21.07.2015**

Dinesh 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: Ms.Alka Chatrath, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

A writ in the nature of certiorari is prayed for, so as to quash the order dated 30.06.2015 (Annexure P2), issued by respondent No.2 i.e.The Director, Health and Family Welfare, Punjab, vide which the petitioner has been transferred from Civil Hospital Amritsar to Civil Hospital Kapurthala, to accommodate respondent No.4.

Petitioner was transferred from Civil Hospital, Banga to Civil Hospital Amritsar, pursuant to his request dated 16.07.2011 within a period of less than two years, he was again transferred in the month of July 2013 from Civil Hospital Amritsar to Civil Hospital Kapurthala. Again, on the request of the petitioner, respondent No.2 ordered his transfer from Civil Hospital Kapurthala to Civil Hospital Amritsar on 01.07.2014. However, within less than a year, vide order

being assailed dated 30.06.2015 (Annexure P2) respondent No.2 has again ordered transfer of the petitioner from Civil Hospital Amritsar to Civil Hospital Kapurthala. The petitioner alleges mala fides against the then Director, Health and Family Welfare, Punjab (respondent No.2) and maintains that he has been transferred with a purpose to accommodate respondent No.4 and not for any administrative exigency or reason.

That being so, it is contended that the transfer of the petitioner is an apparent breach of government's own transfer policy dated 08.06.2015 (Annexure P3).

Learned counsel for the petitioner submits that she be permitted to withdraw the petition, so as to enable the petitioner to represent to the authorities in the first instance by submitting a comprehensive representation which shall be moved within a week from today. And a direction be issued to respondent No.2 to consider and decide the same (representation), within a specified time.

Dismissed as withdrawn. However, in case any such representation is indeed submitted by the petitioner, respondent No.2 shall consider and decide the same, strictly, in accordance with law, within a period of two weeks from the receipt of the said representation.

21.07.2015

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(ARUN PALLI)
JUDGE