

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

**C.M. No.4213 of 2015 in/and
C.M. No.15564 of 2014 in/and
C.W.P. No.16504 of 2014
Date of Decision : 31.03.2015**

Amardeep Singh Bal

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.D. Bawa, Advocate
for the applicant-petitioner.

Mr. Vivek Singla, Advocate
for the respondents.

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

AJAY TEWARI, J. (Oral)

C.M. No.4213 of 2015

For the reasons recorded, the application is allowed subject to
all just exceptions.

C.W.P. No.16504 of 2014

By this petition the petitioner has challenged his transfer from
Jalandhar to Gurdaspur at Gurdaspur, Jammu and Kashmir on the ground that he
is suffering from diabetes and has low medical category (3) and various
complications have also arisen therefrom.

Learned counsel for the respondents has pointed out that there

is a Base Hospital and an Army Hospital at Gainderbal and 40 kms away there is Sher-e-Kashmir Hospital at Soura, Srinagar. Therefore there is no occasion for the apprehension that the petitioner would not be able to get good medical treatment.

Learned counsel for the petitioner has argued that as per the documents (Annexure P-22) there are specified categories of posts on which the low medical category personnel can be posted. In that annexure the following duties are recommended for people of low medical category:-

- “1. Control room officer*
- 2. Intelligence collation/processing officer*
- 3. AC(Adm) in Gcs/BN*
- 4. DC store in Gcs*
- 5. Transit camp I/C*
- 6. Adm Officer in training centre*
- 7. I/C building branch in GCs*
- 8. Course I/C in training centre (as per physical condition)*
- 9. Adjutant, QM in BN HQ, in peace area*
- 10. Staff officer duties depending on the aptitude”*

As per the learned counsel for the petitioner, the underlying presumption is that a person of low medical category can only be posted in peace area. I am afraid, this argument is not borne out from the record.

Learned counsel for the respondents has further argued that the petitioner would be given any of the duties mentioned above.

In the circumstances, I find no reason to interfere in the transfer order. Petition is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

March 31, 2015

ashish