

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.30523 of 2016

ORDER

This writ petition is filed seeking to declare the action of the respondents in not considering the representation dated 11.8.2016, as arbitrary and illegal.

The petitioner was appointed as CRPF Constable/GD on 22.12.1992. He served in various battalions including 32 battalion Jammu & Kashmir from 20.05.1994 to 29.06.1997 and also served in 90 battalion Jammu & Kashmir from 30.04.2008 to 30.11.2012 and transferred to 141 battalion Bhadrachalam, Khammam District, Telangana. While so, he suffered with low backache and was sent to Composite Hospital, Hyderabad, for treatment on 2.5.2015. Thereafter, he was referred to Star Hospital, Hyderabad on 1.9.2015 and he was subjected to various medical tests, which revealed that there is problem at L4 & L5 region and he underwent surgery on 3.9.2015. He was discharged from the hospital on 4.9.2015. After discharge, he was treated in the Composite Hospital, CRPF, Hyderabad. Thereafter, he was subjected to departmental medical examination with regard to medical fitness, and he was advised medical rest for six weeks upto 14.10.2015. He also took treatment till 5.11.2015. Thereafter, he joined duty on 7.11.2015 and worked upto 6.3.2016. Again he was subjected to medical fitness examination on 18.3.2016 and joined duty on

19.3.2016. Thereafter also, he encountered medical problems. While so, he was transferred to 73 battalion Jammu & Kashmir vide proceedings dated 18.7.2016. In view of his medical condition, he submitted a representation dated 11.8.2016 to the respondents seeking cancellation of the transfer orders. When the same was not considered, the present writ petition is filed.

At the time of admission, learned counsel appearing for the respondents submits that the writ petition can be disposed of by directing the respondents to consider the representation dated 11.8.2016.

In the circumstances, without expressing any opinion on the merits of the case, the Writ Petition is disposed of directing respondents 1 and 2 to consider the representation submitted by the petitioner on 11.8.2016 by taking into consideration the medical condition of the petitioner and pass appropriate orders thereon within a period of two weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any pending in this writ petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

15th September,
rkk

Note: Issue CC by four days.