

**Sr. No. 128
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.13928 of 2016
Date of Decision: 18.07.2016**

Raj Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- None for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

The pleadings on record would indicate that the petitioner is serving on the post of JBT teacher on regular basis under the Haryana State Education Department and is presently posted and working at Government Primary School, Gadhauli, Block Jagadhri, District Yamuna Nagar.

Claim set up in the present petition is for getting benefit of transfer policy dated 06.08.2015 at Annexure P-4 and thereby seeking transfer outside the district and to his home district i.e. to Hisar.

As per transfer policy dated 06.08.2015 appended as Annexure P-4, a teacher who is suffering from a chronic disease as also whose child/spouse/parent is suffering from such chronic disease can be considered for transfer outside the district provided a medical certificate is issued by Pandit Bhagwat Dayal Sharma, PGIMS, Rohtak, Government of Haryana or PGIMR, Chandigarh or AIIMS Delhi to certify such disease. This Court finds placed on record documents at Annexures P-2 and P-3 which would indicate that son of the petitioner, namely, Manoj Kumar is suffering from Epilepsy with mild mental retardation and which has been

certified by PGIMS, Rohtak to be a chronic illness and which needs regular treatment and constant care by the family members.

In the light of such documents appended along with a petition i.e. medical certificates at Annexures P-2 and P-3 as also transfer policy dated 06.08.2015 (Annexure P-4), a prayer has been raised that request of the petitioner be considered for transfer from the present district i.e. Yamuna Nagar to his home district i.e. Hisar.

Appended along with a petition is a representation dated 05.07.2016 (Annexure P-5) in terms of which such request has already been raised and apparently no final decision thereupon has been taken.

Without making any observations on merits, I deem it appropriate to dispose of the present petition with a direction to the Director Elementary Education, Haryana-respondent No.2 to look into the the grievance and claim of the petitioner as set up in the representation dated 05.07.2016 (Annexure P-5). It would be expected of respondent No.2 to take a final decision thereupon expeditiously and sympathetically.

Disposed of.

18.07.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**