

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

**CWP No.21373 of 2015
Decided on : 03.02.2016**

Harjinder Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Tushar Sharma, Advocate
for the petitioner.

Mr. Anshul Gupta, AAG, Punjab.

Mr. R.S. Pandher, Advocate
for respondent No.3.

G.S. Sandhawalia , J. (Oral)

The petitioner challenges the transfer order from Mohali to Bassi Pathana dated 10.07.2015 (Annexure P-3). Challenge has also been raised to the speaking order dated 28.08.2015 (Annexure P-9), wherein the request for posting at Mohali, on account of the fact that the petitioner is suffering from Cancer and is getting treatment from PGI, Chandigarh, was rejected on the ground that the place of posting was not very far from the PGI.

On the last date of hearing, Counsel for the State had brought to the notice of this Court that vide order dated 01.01.2006 the petitioner has been given responsibilities of duty for three days

in a week at Mohali, apart from her work at Bassi Pathana. Counsel for the petitioner had taken time to seek instructions whether the said arrangement was suitable for the petitioner.

Today, counsel for the petitioner has submitted that the arrangement is workable, as it would enable the petitioner to also be able to get her treatment at PGI, Chandigarh, on account of her three days duty at Mohali, provided she be not immediately dislocated again.

In such circumstances, no further orders are call for. However, it is made clear that the respondents are at liberty to pass further orders of transfer in due exigencies, but shall not take such an observation as a ground for immediate transfer. Even, if the said transfer is to be effected, subsequently it is expected that a sympathetic view will be taken into consideration, keeping in view the medical requirement of the petitioner.

With the above observations, the present writ petition stands disposed of.

FEBRUARY 03, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE