

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 23424 of 2016
Date of Decision : 11.11.2016

Anju Bala

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Goyatt, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

Learned counsel for the petitioner contends that the petitioner is 80% physically disabled lady and hence, it is difficult for her to discharge her functions at the transferred place, in case she is transferred. Learned counsel further contends that the name of the petitioner figures in the list of the employees, who are eligible for transfer. He has drawn my attention to the representation (Annexure P-8) sent to the respondents on email, which has failed to evoke any response.

A co-ordinate Bench of this Court in the case of **Pardeep Singh and others Vs. State of Haryana and others**, CWP No. 16119 of 2016, decided on 09.09.2016, had issued directions for consideration of cases of visually handicapped teachers for posting with sympathy and compassion. In **Gurvinder Kaur Vs. State of Haryana and others**, CWP No. 20573 of 2016, decided on 30.09.2016, a co-ordinate Bench of this Court had directed the respondents to look into the matter holistically and sympathetically with regard to the physical condition of the petitioners, who were polio victims suffering from 70% locomotive disability while posting

them.

Issue notice to the respondents.

At the asking of the Court, Mr. Rajesh Gaur, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondents.

The petitioner is physically handicapped lady and in case she is transferred from her place of posting, it would be difficult for her to discharge her functions.

In the facts and circumstances of the case, it would be in the interest of justice, if the case of the petitioner is considered by the respondents in terms of the directions issued by this Court in the cases of *Pardeep Singh and others Vs. State of Haryana and others (Supra)* and *Gurvinder Kaur Vs. State of Haryana and others (Supra)*.

Therefore, I deem it appropriate to dispose of this petition with direction to respondent No. 2 to consider and decide the representation (Annexure P-8) of the petitioner in the light of judgments in the cases of *Pardeep Singh and others Vs. State of Haryana and others (Supra)* and *Gurvinder Kaur Vs. State of Haryana and others (Supra)* within a period of one month from the date of receipt of certified copy of this order.

Till the representation of the petitioner is decided, she shall be permitted to continue at her previous place of posting.

The petition stands disposed of accordingly.

November 11, 2016.

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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No