

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

**COCN No.657 of 2017 (O&M)
Date of decision : March 16, 2017**

Surjit Singh

..... Petitioner

Versus

Sh. Sukhdev Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.K. Arora, Advocate for the petitioner.

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

KULDIP SINGH J. (ORAL)

In the previous litigation bearing CWP No.6434 of 2016 decided on 16.01.2017, this Court had ordered to issue the fresh posting to the petitioner on vacant post of Lecturer Biology within a period of three weeks, from the date of receipt of certified copy of this order. The State was also directed to consider the request of the petitioner to allow him fresh posting somewhere near Chandigarh on humanitarian ground as his wife is getting regular treatment of cancer from PGI, Chandigarh, as per rules.

In pursuant to the aforesaid direction of this Court, the Director Public Instructions(S.E.), Punjab passed the order dated 02.03.2017 endorsed on 07.03.2017 (Annexure P-3), vide which taking into consideration the fact that the orders are to be passed within three weeks, it has been observed that there is no vacant post of Lecturer Biology at present either in District Mohali, Ropar, Patiala or Fatehgarh Sahib. The petitioner was given posting as Lecturer Biology against a vacant post in District SBS Nagar at Govt. Sr. Sec. School, Gobindpur (SBS Nagar).

The petitioner claims that this is contempt of the order dated 16.01.2017. It is also claimed that the post of Lecturer Biology was vacant on 27.02.2017 in District SAS Nagar, Mohali as coming out from Annexure P-4 on account of the promotion of two Lecturers as Principal.

However, it is not clear whether the said persons have availed the promotion or not? It is also not clear that whether this fact was brought to the notice of the authority or not? Respondent was directed to consider the request, which he did. Therefore, it is not a case of contempt of court. As such, the present petition is dismissed. However, the petitioner shall be always at liberty to make representation to plead his case for posting to a station nearer to Chandigarh on humanitarian ground and if such representation is made, the Government is always competent to consider the same and take appropriate decision.

(KULDIP SINGH)
JUDGE

March 16, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No