

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

CWP No.12781 of 2016

Date of Decision:02.03.2017

Satish Kumar

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Sushil Jain, Advocate for the petitioner.

Mr. D.S. Nalwa, Addl. A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

The petitioner is in the cadre of Drawing Teacher (C&V). Pursuant to the Inter-District Transfer Policy (Annexure P-1), he submitted an application under clause (iv) of para 3 of the said policy stating that the petitioner's father is suffering from throat cancer. In support of his case, the petitioner has produced a communication of the Medical Superintendent, Pt. B.D. Sharma PGIMS, Rohtak to show that his father is suffering from chronic cancer and he is under treatment of Radio and Chemotherapy. This has been taken note of by the respondents while interpreting sub clause (iv) of para 3 of the policy to the extent that mere chronic illness is not sufficient for consideration of transfer. Further chronic illness of serious nature which requires special medical treatment and constant care of family members shall be considered.

If the respondents are refused to accept the petitioner's application for transfer, in that event, they are required to pass necessary speaking order so as to whether the petitioner's case covers sub clause (iv) of para 3 of the policy dated 6.8.2015. Till date they have not taken any action. Therefore, concerned respondent is directed to consider the

petitioner's grievance for inter-district transfer and take a decision sympathetically with reference to sub clause (iv) of para 3 of the policy dated 6.8.2015 (Annexure P-1) read with the fact that petitioner's father is taking treatment of Radio and Chemotherapy, within a period of one month from today.

Petition stands disposed of.

02.03.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**