

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.20846 of 2016(O&M)

Date of Decision: 27.04.2017

Sunil Kumar Gupta

... Petitioner

Versus

Managing Director, NHPC Ltd. & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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

Mr. Gaurav Chopra, Advocate, with
Mr. Anjanee Anuj, Law Officer,
for the respondents.

RAJIV NARAIN RAINA, J.(Oral)

Only a short point is involved in this petition involving a transfer and posting. It is argued that the petitioner has a medical problem for which he has filed a representation pending this writ petition requesting that he may be considered at a place of posting consistent with his medical problem and his family circumstances.

If this is the case, then there would be no need to keep this matter pending. Case is taken up for final disposal. Arguments heard on stay application and main case.

Following the law in Shilpi Bose (Mrs.) v. State of Bihar, AIR 1991 SC 532, it would suffice if a direction is given to the respondents to consider the request of the petitioner for transferring him to any family station which offers medical facilities consistent with medical problem the petitioner lives with. Accordingly, a direction is issued to the competent authority to consider the case of the petitioner as sympathetically as possible and after hearing the petitioner to pass an order containing the reason of acceptance or

refusal and convey the same to him promptly. It is expected that the authorities will settle the grievance of the petitioner holistically and within the rules and relaxations as may be available consistent with the medical history.

With these directions, the petition stands disposed of.

However, till the decision is taken and conveyed to the petitioner and two weeks thereafter, the interim order dated November 7, 2016 granted by this Court shall continue to operate.

27.04.2017
monika

(RAJIV NARAIN RAINA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>