

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.7258 of 2017

Date of Decision: 24.04.2017

Lakhwinder Kaur

...Petitioner

Vs.

Union of India & others

...Respondents

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

Present: Mr. Rajiv Anand, Advocate,
for the petitioner.

Mr. Shivoy Dhir, Central Govt. Counsel,
for Union of India.

RAJIV NARAIN RAINA, J. (Oral)

On 07.04.2017 while issuing notice of motion this Court
passed the following order:-

“The case of the petitioner for retention in Punjab Frontier, Jalandhar under the six years frontier policy has been recommended at three levels. The fourth and final authority has not taken any decision so far on the representation of the petitioner dated 29.01.2017 and she is now being transferred to the Eastern Command. She has a minor son who has suffered disability due to electrocution leading to loss of three fingers of the right hand. Mr. Anand submits that the petitioner has also the protection of policy in OM dated 06.06.2014 (Annexure P-10). He argues that if Six Years Frontier Policy is applied it will secure the service in Punjab Frontier till July, 2019. She has come against the transfer order (Annexure P-3) impugning it.

Notice of motion returnable on 24.04.2017.

Notice re.: Interim protection.

In the meanwhile, the petitioner will not be transferred to Eastern Command till further orders. Meanwhile, it

will be open for the respondents to consider the representation at the last and final level and produce the result and place it on record of this case.

Process dasti and through email is permitted apart from usual mode.

Copy of this order be given dasti to the counsel for the petitioner under the signatures of the Bench Secretary of this Court.”

Mr. Shivoy Dhir appears for the Union of India/BSF and has produced a signal from the office of Commandant, Frontier Headquarters BSF, Punjab. The impugned order has been recalled and the petitioner has been posted to Frontier Headquarters, Punjab where she is presently performing her duties.

The learned counsel for the respondents UoI/BSF submits that the petitioner's posting to the Eastern Command as ordered vide impugned order dated May 26, 2014 (Annex P-3) has been cancelled by Force (BSF) Headquarters signal dated April 17, 2017 which is duly recorded in Signal dated April 20, 2017 passed by Commandant Establishment, Frontier Headquarters, BSF, Punjab. It is further stated that the case for adjustment of the petitioner is under process and will be finalized shortly in favour of the petitioner and she will be retained as requested.

This brings the dispute to a happy end. The writ petition is dismissed as infructuous.

(RAJIV NARAIN RAINA)
JUDGE

24.04.2017
neeraj

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No