

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.4540 of 2018

ORDER:

This writ petition is filed challenging the action of the 5th respondent in transferring the petitioner to 6th respondent-14th Battalion at Sirnagar, Jammu and Kashmir State in spite of the petitioner making a request to retain him at Hyderabad upto second week of July, 2018, on medical grounds.

2. The case of the petitioner is that his marriage was held in the year 2013 and that he and his wife are taking treatment for begetting a child at Padmaja Fertility Centre, Hyderabad, and the said treatment being taken by them is also confirmed by the Composite Hospital, CRPF, Hyderabad. It is further stated that the petitioner has made a request letter dated 08-02-2018 in that behalf enclosing the medical records to retain him at Hyderabad upto second week of July, 2018 to enable them to take the medical treatment, but the 5th respondent without considering the

request made by the petitioner, muchless medical record, transferred him to 6th respondent-14th Battalion at Srinagar, Jammu and Kashmir State.

3. This Court on 14-02-2018 granted interim of stay for a period of four weeks and the same was extended by another four weeks.

4. Now, counter affidavit along with vacate petition is filed stating that earlier the petitioner's request was considered by the Board of Officers and continued him at Hyderabad for a period of one year sympathetically, on the same grounds and therefore, the petitioner cannot be permitted to continue in the present station any further. It is also stated that the respondent-CRPF is a disciplined force and the petitioner cannot be permitted to retain at Hyderabad as he has been already granted one year of extension in the present station.

5. Learned counsel for the petitioner submits that the petitioner wants to be retained at the present station on the

advice of the Doctor only on medical grounds. Heard learned Standing Counsel for the respondents

6. It is to be seen that the petitioner is wanting to have a child and for that purpose he and his wife seems to be taking treatment at an infertility centre at Hyderabad which treatment is also confirmed by the Composite Hospital, CRPF, Hyderabad. In the counter affidavit filed it is stated that one year extension already granted to the petitioner will come to an end by June, 2018 and the petitioner is seeking extension of four more weeks, as per the medical advice. The medical records filed as material papers along with the writ petition goes to show that the petitioner and his wife are undergoing treatment. The respondent-authorities themselves extended time upto the end of June 2018.

7. Having regard to the facts and circumstances of the case, suffice it to direct the respondents to retain the petitioner in the present station at Hyderabad, till the end of July 2018 in view of the particular facts and

circumstances in which the petitioner is placed. It is made clear that no further extensions will be granted.

8. With the above observations, the writ petition is disposed of accordingly. Miscellaneous petitions if any pending in this case shall also stand disposed of. No order as to costs.

Dated: 19-04-2018
NRG

A.RAJASHEKER REDDY, J



HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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Date: 19-04-2018

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