

CWP No.26550 of 2017 (O&M)

[1]

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

**CWP No.26550 of 2017 (O&M)
Date of decision:21.02.2018**

Shashi Kant

...Petitioner

Versus

Director, PGIMER and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Ramandeep Singh, Advocate,
for the petitioner.

Ms. Madhu Dayal, Advocate,
for the respondents.

Rakesh Kumar Jain, J. (Oral)

CM No.1426-CWP of 2018

Application is allowed, as prayed for.

Replication to the written statement filed by the respondents is
taken on record.

CWP No.26550 of 2017

The petitioner has prayed for a writ in the nature of *certiorari* for
quashing the order dated 15.09.2017 (Annexure P-2) by which his request for
transfer of house has been rejected.

The petitioner is at present occupying Type-13 house allotted by
the PGIMER to his father, who has since retired. His only prayer is that he
may be allowed to continue to stay in the same house till he would become
eligible for Type-14 house as he is already at Sr. No.5 in the seniority. To
buttress his argument, he has referred to certain examples in para no.12 of the

writ petition to contend that in the past also, the PGIMER had done the same thing.

After notice, learned counsel for the respondents has put in appearance and filed the reply, in which it is averred that the examples given by the petitioner are not applicable to his case because the said persons were also in the same grade pay as of their father(s). It is also submitted that there is no other example in the PGIMER where such type of request has been entertained and allowed, rather it is submitted that if the request of the petitioner is entertained by this Court, then it would create a chaos in the allotment of house(s) in the PGIMER. It is also submitted that the petitioner would be considered for allotment of Type-14 house according to his seniority.

After hearing learned counsel for the parties and keeping in view the aforesaid facts and circumstances especially the fact that there is no support of any rule or regulation in favour of the case of the petitioner, I do not think that this is a case where this court should interfere.

Consequently, the present petition is hereby dismissed being denuded of any merit, though without any order as to costs.

February 21, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No