

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

**CWP NO. 6585 OF 2018
DECIDED ON : 13.12.2018**

Salve Shahaji

...Petitioner

versus

Union of India and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. R. D. Bawa, Advocate,
for the petitioner.

Mr. Shivoy Dhir, Advocate,
for the respondents.

ARUN MONGA, J. (ORAL)

1. The present writ petition has been filed for issuance of a writ in the nature of certiorari seeking quashing of impugned order dated 18.05.2017 (Annexure P-12) and order dated 31.12.2016 (Annexure P-10) vide which application of the petitioner for transfer to GREF Centre, Pune or Head Quarter DGBR on compassionate medical grounds was rejected. The petitioner is designated as Storeman in GREF Center posted at Pathankot.

2. Learned counsel for the petitioner contends that petitioner is currently working as Store Keeper (Technical) at Pathankot. He further contends that affidavit of Sunil Kumar Sinha, SE (E&M), Commander, Western Stores Division (GREF),

GRES Station, Pathankot, Punjab, reflects that owing to the cadre review in November, 2016, the post of Store Man category has been abolished and the Store Men are currently posted against existing vacancy of Store Keeper Technical (SKT). Para 7 of the said affidavit shows the number of authorized vacancies, the number of existing vacancies and the number of Store Keepers deployed by GRES. The same reflects that at present there are 05 vacancies of Store Keeper Technical (SKT) and against the same, 06 Store Keepers have been deployed.

3. Learned counsel for the respondents states that one of the Store Keeper is suffering from cancer and he could not be shifted to place of his posting, resulting in surplus deployment of Store Keeper in Pune. Learned counsel further contends that at Western Store Division, Pathankot, there are 43 authorized vacancies and against the same, only 29 have been deployed and there is deficiency of 14 Store Keepers and owing to the administrative exigency, the petitioner cannot be transferred from Pathankot to Pune.

4. Learned counsel for the petitioner states that his wife is suffering from ill health and that the petitioner had already submitted a representation that he is 55 years old and the same may be treated as his last posting before superannuation. He submits that this petition may be disposed of with a direction that as and when there is a vacancy at Pune, the case of petitioner for transfer there may be considered on compassionate grounds.

5. In this view of the matter, the present writ petition is disposed of with a direction to the respondents that as and when any vacancy arises at Pune, the case of petitioner shall be considered on compassionate grounds, as notice above.

Disposed of accordingly.

(ARUN MONGA)
JUDGE

DECEMBER 13, 2018
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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |