

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

**LPA No.1329 of 2018
Date of decision: 31.08.2018**

Sukhjeet Kaur

... Appellant

Versus

Union of India and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Sanjeev Manrai, Senior Advocate with
Mr. Ajay Singh Parmar, Advocate for the appellant.

KRISHNA MURARI, C.J. (Oral)

This intra-court appeal filed under Clause X of the Letters Patent is directed against the judgment and order dated 20.08.2018 disposing of the writ petition filed by the petitioner-appellant challenging her transfer order.

Learned Single Judge has disposed of the writ petition with a direction to the respondents to take required action on the representation dated 13.08.2018 made by the petitioner with respect to her transfer order alleging that the same is in violation of the policy and instructions issued by the Union of India.

Learned senior counsel for the appellant submitted that a specific direction should be issued to the authority of the Bank to consider the representation otherwise the order passed would not serve any useful

purpose. It is submitted that learned Single Judge has required the respondents to consider the representation of the appellant within two months, but in the absence of any interim direction passed in the matter, the said order is of no avail and the petitioner-appellant shall have to join the new place of posting.

In view of the order proposed to be passed, we do not find necessary to put the respondents to notice, however, the right to seek variation or modification/clarification in the order, if any, is being kept reserved.

Considering the totality of the facts and circumstances, we dispose of this appeal by modifying the order passed by the learned Single Judge by commanding respondent No.6 – Deputy General Manager, Canara Bank to consider and decide the representation dated 13.08.2018 made by the petitioner keeping in view the policy of the Bank as also the recommendations made by the Union of India dated 08.08.2014 in respect of the transfer policy to be adopted by the Bank. Needless to say that the case of the petitioner is liable to be considered sympathetically since she is a lady and the representation has been made so that she can be posted near placement of her husband and has a breastfeeding child.

Respondent No.6 shall take a decision as directed within a period of 10 days from the receipt of certified copy of this order.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

31.08.2018
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO