

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

LPA No. 1980 of 2019 (O&M)

Date of decision: 6.12.2019

Lt. Col. Rohit Sharma

.. Appellant

vs

Union of India and another

.. Respondents

**Coram: Hon'ble Mr. Justice Ravi Shanker Jha, Chief Justice.  
Hon'ble Mr. Justice Rajiv Sharma**

**Present** Mr. Akshay Bhan, Senior Advocate with  
Mr. Ankush Chowdhary, Amandeep Singh Talwar,  
Mr. Adhiraj Bhandari and Mr. Pawandeep Singh, Advocates,  
for the appellant.

Ms. Anita Balyan, Senior Standing Counsel for Union of India  
with Capt. Anchal.

**Ravi Shanker Jha, Chief Justice**

This appeal has been filed by the appellant being aggrieved by the order dated 20.11.2019 passed in CWP No. 15735 of 2019 disposing of the writ petition filed by the petitioner-appellant against his order of transfer from Jalandhar to Jaipur.

Learned counsel for the petitioner-appellant submits that the petitioner-appellant is suffering from Auto Immune Encephalitis. There is no Neurological Centre at Jaipur and therefore as per the recommendations of the Medical Board, the petitioner-appellant be transferred to a place where adequate medical facilities are available.

The learned Single Judge in the impugned order has taken note of the fact that the respondents on oath have filed return stating that Military Hospital, Jaipur has a neurological centre and on that account the petitioner-appellant has been transferred there.

The learned Single Judge adjudicated the aforesaid submissions of the respondents in the return on record and has disposed of the petition of the petitioner-appellant granting liberty to him to approach the respondents again in case the Neurological Centre at Jaipur is not found well equipped to handle the peculiar conditions of the petitioner-appellant.

In view of the aforesaid circumstances, we do not find any illegality or perversity warranting interference in the order passed by the learned Single Judge. While dismissing the appeal, it is observed on a statement made by learned counsel for the respondents on instructions that the petitioner-appellant will join his place of posting within ten days from today.

CM No. 4513-LPA/2019

Since main appeal itself has been dismissed, no orders are required to be passed in the application for additional evidence.

The application stands dismissed.

(Ravi Shanker Jha)  
Chief Justice

6.12.2019  
vs

(Rajiv Sharma)  
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No