

Sr. No.122

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

CWP No.36378 of 2019 (O&M)

Date of Decision: 16.12.2019

Gurinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Pankaj Sharma, Advocate,
for the petitioner.

Mr. P.S.Bajwa, Additional A.G., Punjab.

ARUN MONGA, J.(ORAL)

1. Grievance of the petitioner is that vide impugned transfer order dated 20.11.2019 (Annexure P-3), the petitioner has been transferred from Patiala to Mansa in violation of the Transfer Policy of Department of Water Supply and Sanitation (B &R-II Branch), Government of Punjab (Annexure P-5).

2. *Inter alia*, contends that it was on the request of the petitioner that he was transferred to Patiala so as to enable him to avail medical treatment. Notwithstanding, merely after 4 months of his having been posted at Patiala, he has been once again transferred vide order dated 20.11.2019 impugned herein.

3. Learned counsel for the petitioner contends that the transfer order has been passed to accommodate respondent No.4 who is already at Patiala working for the last 18 years. He further submits that petitioner submitted a representation dated

25.11.2019 (Annexure P-4) but the same has not been adverted by the respondents till date. Hence, the writ petition.

4. Notice of motion.

5. On advance service of copy of the petition, Mr. P.S.Bajwa, Additional A.G., Punjab appears on behalf of respondents.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the present writ petition is disposed of with a direction to the respondents to consider the representation dated 25.11.2019 (Annexure P-4) sympathetically keeping in mind the peculiar medical condition of the petitioner as is borne out from medical certificates contained at Annexure P-6 and also by keeping in view the contentions stated in this petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

8. It would be appreciated that if the petitioner can be accommodated either at Patiala or around Patiala to enable him to avail his medical treatment.

9. Let the needful be done within a period of 30 days from the date of receipt of certified copy of this order.

10. Until the passing of fresh order as aforesaid, the operation of impugned transfer order dated 20.11.2019 (Annexure P-3) shall remain stayed qua the petitioner.

11. Disposed of in above terms.

16.12.2019
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No