

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

CWP-6615-2020

Date of Decision: March 13, 2020

Ramesh Kumari

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sanjiv Gupta, Advocate,
for the petitioner.

Mr. Harish Nain, AAG, Haryana.

RITU BAHRI, J. (ORAL)

This petition, filed under Article 226 of the Constitution, seeks a writ in the nature of mandamus directing the respondents to consider the claim of the petitioner for adjustment at Community Health Centre, Uklana, pursuant to order dated 12.06.2019 (Annexure P-4), i.e. consequent upon retirement of Smt. Bimla Rani, Public Health Nurse.

Vide order dated 12.06.2019 (Annexure P-4), the petitioner, who was working as a Public Health Nurse, and posted at Community Health Centre, Kalayat (Kaithal), was ordered to be transferred and posted as such at Community Health Centre, Uklana (Hisar), vice Smt. Bimla Rani, Public Health Nurse. Accordingly, the petitioner was relieved from Community Health Centre, Kalayat, vide order dated 19.06.2019 (Annexure P-5). On 20.06.2019, the petitioner tendered her joining report to the Senior Medical Officer, Community Health Centre, Uklana (Annexure P-6). Smt. Ramesh Kumari, Public Health Nurse, approached this Court by way of CWP No. 18565 of 2019, challenging her transfer from Uklana (Hisar) to Kalayat (Kaithal), which was disposed of with a direction to the respondents therein to decide her representation. Consequently, respondent No. 2 passed an order dated 19.07.2019

(Annexure P-7), cancelling the transfer order dated 12.06.2019 (Annexure P-4). In terms of the order dated 19.07.2019 (Annexure P-7), passed by respondent No. 2, the petitioner after having been relieved from Uklana (Hisar), was directed to join her duty at Kalayat (Kaithal), vide letter dated 01.08.2019 (Annexure P-8). On 09.01.2020 (Annexure P-10), the petitioner made a representation to respondent No. 2 and requested for her adjustment at Community Health Centre, Uklana, especially in view of the fact that Smt. Bimla Rani, who was posted there, has since retired on 31.12.2019, and post of Public Health Nurse is lying vacant at Community Health Centre, Uklana.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana, present in the Court, accepts notice on behalf of the respondents.

Having heard learned counsel for the parties and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No. 2 to look into the representation, dated 09.01.2020 (Annexure P-10), filed by the petitioner and to decide the same by passing a speaking order, in accordance with law, within a period of one month from receipt of a certified copy of this order.

(RITU BAHRI)
JUDGE

March 13, 2020

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Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO