

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-11243-2020

Date of Decision:-25.08.2020.

Usha Rani

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. R.S. Manhas, Advocate for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General for
India with Ms. Gehna Vaishnavi, Panel Counsel for
Union of India.

SANJAY KUMAR, J. (Oral)

The grievance of the petitioner is with regard to the order dated 14.03.2020 (Annexure P-4-A) by which she was transferred from Pathankot in the State of Punjab to Tejpur in the State of Assam.

The petitioner was appointed as a Pioneer in the service of the respondent-organization on compassionate grounds after the death of her husband, while in its service. She claims to have two school-going children, one studying in 12th class and the other, 9th class. She further claims that she is suffering from depression and is therefore not in a position to transplant herself and her family at this point of time at a distant location. More so, keeping in mind the prevailing situation caused by the Covid-19 pandemic.

The petitioner addressed representations dated 28.04.2020, 29.06.2020 and 11.08.2020 (Annexures P-5 to P-7 respectively) to the authorities

of the respondent-organization ventilating her grievance in this regard and seeking cancellation of the impugned movement order. As there was no response thereto, she filed the present writ petition.

Though notice of motion was ordered in this case on 05.08.2020, Mr. Satya Pal Jain, learned Additional Solicitor General for India, assisted by Ms. Gehna Vaishnavi, Panel Counsel for the Union of India, would seek further time to file a reply. However, as the authorities of the respondent-organization are yet to apply their mind to the grievance ventilated by the petitioner, through her many representations, this Court sees no necessity to keep this writ petition pending for adjudication on merits. It is for the authorities concerned to consider the petitioner's representations on their own merits and in accordance with the due procedure and take appropriate action thereon.

The writ petition is accordingly disposed of directing respondent No.3 herein to take appropriate action upon the petitioner's representations (Annexures P-5 to P-7) in relation to the impugned movement order as deemed fit and in accordance with the due procedure. The decision taken thereon shall be communicated to the petitioner. This exercise shall be completed expeditiously and in any event not later than 2 weeks from the date of receipt of a copy of this order.

No order as to costs.

(SANJAY KUMAR)
JUDGE

August 25, 2020.
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.