

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

CWP No.13737 of 2020.

Decided on:- September 07, 2020.

Sadhu Ram.

.....Petitioner.

Versus

State of Haryana and others

.....Respondents.

CORAM: *HON'BLE MR. JUSTICE HARI PAL VERMA.*

Present:- Mr. Rajdeep Singh Tacoria, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Petitioner, who is working as Multipurpose Health Supervisor (Male) has filed this civil writ petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari impugning the order dated 24.08.2020 (Annexure P-4) passed by respondent No.2-Director General Health Services, Haryana, whereby the petitioner was transferred from CHC, Meham (Rohtak) to CHC, Narnaund (Hissar).

Learned counsel for the petitioner has submitted that having been promoted as Multipurpose Health Supervisor (Male) from the post of Inspector, the petitioner was transferred to the present place of posting, where he joined the duty on 23.05.2017. As per the transfer policy (Annexure P-3), a person cannot be transferred unless he has occupied the post for a period of 5 years. The petitioner is a chronic patient of brain-tumour. He has been advised restricted movement and needs help of an attendant so as to attend the

office. Therefore, the son of petitioner, who is employed in Civil Hospital, Meham helps the petitioner. The petitioner has been transferred from Meham to Narnaund ignoring his medical health condition and against the transfer policy (Annexure P-3) issued by the respondent-State.

Notice of motion to respondents No.1 and 2 only at this stage.

On asking of this Court, Ms. Ranjana Shahi, Addl. A.G., Haryana accepts notice on behalf of respondents No.1 and 2.

I have heard learned counsel for the parties.

This Court finds that the petitioner has filed the present petition without approaching the authorities so as to bring to their notice about his health condition. Accordingly, without making any observations as regard the claim of the petitioner, the present petition is disposed of with a direction to the respondent No.2-Director, General Health Services, Haryana that in case the petitioner submits a representation highlighting his incapacitated health condition within a period of three days from today, the same shall be considered and decided by the respondent No.2 within another seven days in accordance with law and the policy of transfer framed therein.

It is further made clear that in case the petitioner has not been relieved pursuant to the transfer order (Annexure P-4), he be not relieved for another ten days.

September 07, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No