

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

**CWP-16820-2020(O&M)
Date of Decision: 12.10.2020**

Harpreet Singh and others

..... Petitioners

versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. H.C.Arora, Advocate
 for the petitioners.

Mr.Dheeraj Jain, Senior counsel UOI
for respondents No. 1 to 3.

Ms.Puneeta Sethi, Advocate
for respondent No.4.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioners who are nine in number are stated to be the residents of village Rode Khurd, Tehsil Bagha Purana, District Moga. The instant petition has been filed seeking a writ of mandamus or any other appropriate writ, direction or order restraining the respondent-authorities from shifting the Sub Post Office from village Rode Khurd (Tehsil Bagha Purana, District Moga) to Smalsar (District Moga).

Counsel has submitted that if the proposed shifting of the Sub

Post Office from the village of the petitioners is permitted then the same

would be located at a distance of 6 Kilometers away and it would inconvenience the residents of the entire village. Further asserted that the Sub Post Office at village Rode Khurd has been functioning since the last more than five decades and now without any justifiable ground/basis the same is sought to be shifted.

Mr. H.C.Arora, learned counsel representing the petitioners has vehemently argued that the decision to shift the Sub Post Office is essentially for the reason that there is a connectivity issue and under such circumstances directions ought to be issued to the fourth respondent i.e. Bharat Sanchar Nigam Limited (BSNL) to take necessary steps to ensure seamless connectivity at village Rode Khurd itself.

Having heard learned counsel for the petitioners at length and having perused the pleadings on record this Court is of the considered view that no basis for intervention is made out.

Apparently a legal notice had been served on behalf of the petitioners upon the respondent-authorities and the same has been responded to vide communication dated 25.09.2020 from the Superintendent of Post Offices, Faridkot Division, Faridkot (Annexure P-5).

Perusal of such response highlights four reasons to justify the shifting of the post office.- (i) There being a problem of network (NSP-1 and 2) link at Guru Teg Bahadurgarh SO. In spite of local BSNL Exchange having been requested repeatedly no solution having been provided; (ii) Smalsar village where the Sub Post Office is sought to be shifted is a developing village having five Banks, Hospitals, Police Station, Electricity Board, Schools and having five Gram Panchayats under it. As such a view

had been taken that there would be a potential of more procurement of business; (iii) Guru Teg Bahadurgarh Sub Post Office apart from having a network issue is located at an isolated location and hence from the security point of view it is not possible to post any lady staff (iv) Guru Teg Bahadur SO has been running in huge losses.

The afore-noticed reasons disclosed by the respondent-authorities cannot be considered by this Court to be irrelevant. The competent authority has deliberated on the matter and has taken a conscious decision in shifting of the Sub Post Office. These are matters which essentially lie within the domain of policy decision and the same would be open to intervention only if the petitioners had made out a case that the decision to shift the Sub Post Office was on account of some extraneous reasons/consideration. No such case has been made out.

At this stage Mr.Dheeraj Jain, learned counsel representing respondents No. 1 to 3 has adverted to the response dated 25.09.2020 (Annexure P-5) wherein it has been recited as follows:-

' It is pertinent to mention here that Guru Teg Bahadur SO is not going to close, it is just being downgraded. All postal facilities of booking of articles and saving schemes, even withdrawal through IPPB Accounts/Aeps transactions facility will be provided by the proposed branch post office i.e. Guru Teg Bahadurgarh BO (PPO). '

In the writ petition there is no rebuttal to such categorical stand taken on behalf of respondents No.1 to 3.

Grievance of the petitioners as such is misconceived.

Petition dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

12.10.2020
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No