

CWP-19114-2020

Date of decision: 11.11.2020

Rita Kumari

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. N.S. Dadwal, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to respondents to decide the legal notice dated 20.07.2020 (Annexure P-9) and to take appropriate legal action against respondent No.5 for refusing to receive the official order dated 17.04.2020 (Annexure P-6) passed by respondent No.4 and for not vacating the Quarter/Kothi No.1, Civil Hospital, Ludhiana which is allotted to the petitioner, keeping in view

her health problem as is evident from Complicated Chronic Disease Certificate (Annexure P-1).

Notice to the official respondents No.1 and 2-State.

Mr. Shireesh Gupta, Senior DAG, Punjab has put in appearance and accepts notice on behalf of the official respondents No.1 and 2-State. Copy supplied.

Learned counsel for the petitioner *inter alia* contends that the petitioner was appointed as Staff Nurse in the year 1996 with the respondent department and was allotted Quarter No.4, First Floor, Civil Hospital, Ludhiana on 08.12.2017 by the respondent department. He further submits that the petitioner is suffering from HT/Hypothyroid/OAG as mentioned in Complicated Chronic Disease Certificate dated 16.01.2019 issued by Medical Superintendent, Rajindra Hospital, Patiala and it is very difficult for her to climb the stairs daily and therefore, she submitted representation dated 21.08.2019 to respondent No.4 for allotment of new quarter. Further, respondent No.4 issued a letter dated 10.01.2020 to respondent No.5 directing her to vacate quarter/kothi No.1 with immediate effect and to shift in her old quarter, reminder of the same was also sent to respondent No.5 who is junior to the present petitioner, but she refused to receive the letter and no action has been taken against respondent No.5 till date and thus, seeking present relief.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the legal notice dated 20.07.2020 (Annexure P-9) as representation and decide the same, moved by the petitioner, in accordance with law, by passing a speaking order preferably within a period of two months from the date of receipt of the copy of this order.

The petition stands disposed off accordingly.

11.11.2020

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No