

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

CWP-1340-2021

Date of decision: - 22.01.2021

Renu Bala

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Anil Kumar Sharma, Advocate
for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the challenge is to the order dated 21.12.2020 (Annexure P-4) by which, the petitioner has been transferred from CHC Bhiwani to CHC Nanakpur, Panchkula.

Learned counsel for the petitioner has impugned the present order on the ground that the petitioner is yet to complete the minimum required period of 3 years at CHC Bhiwani and further that at CHC, Bhiwani even as of now 90 posts of Staff Nurses are lying vacant and hence, the transfer of the petitioner cannot be termed as on administrative grounds.

On the last date of hearing, the following order was passed

by this Court: -

“Learned counsel appearing for the petitioner contends that the minimum tenure at a particular station as fixed by the respondents is three years, whereas, the petitioner has been transferred within a period of two years and four months even though, there is no complaint against the working of the petitioner. Learned counsel appearing for the petitioner further submits that the petitioner was posted at CHC Bhiwani, where, even as of now, 90 posts of Staff Nurses are lying vacant.

Notice of motion. Ms. Rajni Gupta, Addl. A.G., Haryana accepts notice on behalf of the respondent-State and seeks short adjournment to ascertain the facts as noticed hereinbefore.

To come up for hearing on 22.01.2021.”

Learned State counsel very fairly submits that posts of Staff Nurses are lying vacant at CHC Bhiwani.

Learned counsel for the petitioner submits that the petitioner intends to approach the respondents for reconsideration of the transfer order dated 21.12.2020 (P-4) and in this regard, an appropriate representation will be filed by the petitioner within a period of one week from today.

Learned State counsel submits that in case any representation is filed by the petitioner within a period of one week from today, the same will be considered sympathetically, taking into consideration the fact that some posts of Staff Nurses are lying vacant at CHC Bhiwani and also the fact that the petitioner is yet to complete the minimum period of stay required at CHC Bhiwani.

In view of the above, the present writ petition is disposed of

with a direction to the respondents to decide the representation expeditiously in case the same is preferred by the petitioner within a period of seven days from today, as noticed above,.

In case petitioner prefer a representation within the time frame noted hereinbefore, then she will be allowed to continue at CHC Bhiwanit till the decision of the said representation.

January 22, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No