

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CWP-9332-2021

Date of decision: 30.04.2021

Savinder Kumar

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Deepak Arora, Advocate
for the petitioner.

Ms. Akshita Chauhan, Assistant AG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner- Savinder Kumar, stated to be aged 51 years, has filed the present petition *inter alia* with a prayer for issuance of a writ in the nature of mandamus seeking due implementation of promotion/transfer orders passed in case of petitioner. Vide promotion orders dated 18.04.2021 (Annexure P-1), petitioner-who has been serving as a Maths Master with the respondent-authorities, posted at Government Senior Secondary School, Ferozpur Kalan, District Pathankot was assigned new place of posting at Government Senior Secondary School, Gharota, District Pathankot, but on account of certain administrative/technical issues, petitioner is not being allowed to join at Government Senior Secondary School, Gharota, District

Pathankot.

Learned counsel for the petitioner submits that the petitioner has served the department for more than 20 years. At this stage, learned counsel for the petitioner by making reference to para 6 of the petition, submits that the petitioner had submitted a representation that his mother is in his old age and she does not keep good health. He had further pleaded that considering the old age of his mother i.e. 80 years and ailment of his elderly mother and because of the present situation of Covid pandemic, a request was made by the petitioner to allow him to continue on promotion as Lecturer at the same very place of posting. The petitioner had submitted this written representation on 19.04.2021 i.e. after the promotion order dated 18.04.2021.

Notice of motion.

On asking of the Court, Ms. Akshita Chauhan, Assistant AG, Punjab, accepts notice on behalf of the State.

On instructions from the Department, learned counsel for the State submitted that the present writ petition has become infructuous. She submits that on 30.04.2021, the petitioner has been allowed to join on the promoted post at new place i.e. Village Dunera, District Pathankot.

At this stage, learned counsel for the petitioner submits that since the petitioner on the very next day i.e. 19.04.2021, had made a written request to the authorities, his representation be sympathetically considered keeping in view the old age of his mother and also the existing situation due to Covid pandemic.

In view of what has been observed above, the present writ petition is disposed of. The petitioner is also permitted to submit a supplementary comprehensive representation in this regard.

No further orders are called for. The petitioner is at liberty to pursue the representation. The respondents are directed to sympathetically examine the representation and decide the same as expeditiously as possible, preferably within a period of three weeks from the date of receipt of certified copy of this order.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

30.04.2021

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No