

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

**CWP-16418-2021**

**Date of decision: 07.09.2021**

Krishan Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

Present: Mr. Naresh Kumar, Advocate,  
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.  
**(Presence marked through video conference).**

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**ARUN MONGA, J. (ORAL)**

Grievance of the petitioner, working as Multi Purpose Health Supervisor is qua his transfer vide impugned order dated 07.07.2021 (Annexure P-3) whereby he has been transferred from District Jind to District Mewat, which is at a distance of 250 kms. against a vacant post on the ground of administrative exigency.

2. Learned counsel for the petitioner contends that petitioner is fully conscious that being a Government servant, he can be transferred but the same ought to have been done in accordance with the transfer policy.

3. He contends that given the current family conditions of the petitioner, the impugned order will result in extreme hardship for petitioner's entire family. The same is unduly harsh, inasmuch as, petitioner's wife is suffering from very serious medical ailment (cancer) which invariably is terminal in nature. She has been detected with Renal Cell Carcinoma of right kidney. That apart, he submits that daughter of the petitioner (25-year old) is 100% visually impaired and is totally dependent on the petitioner, apart there from old dependent parents are also staying with the petitioner. Learned counsel submits that given the current medical condition of the petitioner's wife

as well as the medical treatment being imparted to her, it would be highly detrimental and threatening to her life at this stage of shifting her entire treatment by moving her to Mewat from Jind.

4. He contends, in case petitioner is made to join at Jind, the entire family would be deprived of his presence. Each one of his family members is totally dependent on him as stated aforesaid. It was in these premises that the petitioner submitted a representation dated 10.08.2021 (Annexure P-6) but the same was since not adverted, he has no choice but to seek indulgence of this Court.

5. In the matters of transfer, ordinarily, this Court refrains to interfere unless it is a case of extreme hardship. Given the afore narrated mitigating circumstances, the petitioner seems to have been rather harsh treated by his employer. Accordingly, it is expected of the competent authority to look into his pending representation and pass appropriate administrative orders. It would be appreciated if sympathetic view is taken by the competent authority by either allow the petitioner to continue at current place or transfer him on another post in and around Jind or a nearby place from where he can commute comfortably in order to look after his entire family, without having to relocate them. It shall, of course be open to the competent authority to verify the aforesaid facts as pleaded in the instant petition and thereafter pass appropriate orders.

6. Till passing of the fresh orders by the competent authority, the impugned order dated 07.07.2021 (Annexure P-3) shall remain stayed.

7. Disposed of accordingly.

**07.09.2021**  
vandana

**(ARUN MONGA)**  
**JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No