

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

LPA No.2153 of 2017(O&M)

Date of Decision:-19.02.2021

Satpal Singh.

.....Appellant.

Versus

Union of India & Ors.

.....Respondents.

AND

COCP No.2200 of 2020(O&M)

Satpal Singh.

.....Petitioner.

Versus

Ajay Kumar Bhalla & Ors.

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

**Present:- Mr. Rajeev Anand, Advocate for the Appellant
in LPA No.2153 of 2017 &
for the Petitioner (in COCP No.2200 of 2020).**

**Mr. Parveen Chander Goyal, Advocate and
Ms. Aarti Goyal, Advocate for the respondents-UI.**

JASWANT SINGH, J.(ORAL)

*[The aforesaid presence is being recorded through video conferencing since
the proceedings are being conducted in virtual court]*

This common shall dispose of both the aforementioned

cases as the facts involved therein are inter connected.

The present intra court appeal is arising out of the order dated 24.10.2017 passed in CWP No. 8714 of 2016 wherein the writ petition filed by the Appellant/Petitioner, who is a serving Assistant Sub Inspector in CRPF, against his transfer from 51 Battalion CRPF to 217 Battalion CRPF then deployed in Anti Naxalite Operations was dismissed. The wife of the Appellant is suffering from a 'complicated chronic disease' namely *Immune Thrombocytopenia* for which she is under treatment at PGI Chandigarh through the respondent authorities. In this disease the blood platelet count is stated to come to extreme critical level of even zero resulting into blood oozing out of eyes, ears, nose of wife of the Appellant. The factual position concerning the medical condition of the wife of the Appellant is not disputed by the Respondents.

By the order dated 10.11.2017, the operation of the impugned order was stayed while issuing the notice of motion in the present appeal. During the hearing on 27.01.2020, the Respondents conceded that the wife of the Appellant is suffering from life threatening ailment requiring constant care and also that the re-imburement of medical expenses is made from the unit where the Appellant is posted upon prior certification of the bills by the PGI, where the wife of the Appellant is undergoing treatment. The interim orders were continued and the Respondent No. 3 IG, CRPF, North-West Sector, was directed to transfer and post the Appellant at the nearby place so as to facilitate the proper medical care and timely re-imburement of bills in view of the extra ordinary facts of the case.

The Appellant in the interregnum was posted out and deployed under 245 Battalion CRPF which led to filing of COCP 2200 of 2020 regarding non compliance of the interim order passed in the present appeal.

On the last date of hearing, the Ld. Counsel appearing for the UOI, Shri Parveen Chander Goyal sought time to seek instructions regarding the posting of the Appellant to 13 Bn CRPF stationed in the close vicinity enabling the Appellant to take care of his ailing wife's treatment at PGI and to stand by her in case of any medical complications as also to facilitate the early processing of medical re-imbursement.

Today, the Respondents have placed on record, a Compliance Report dated 17.02.2021 vide Civil Misc No.546-LPA/2021, wherein the order dated 13.02.2021 (R-1) regarding the transfer of the Appellant to 13 Bn CRPF with immediate effect is placed on record and it is informed during the course of hearing that the Appellant has already been relieved from 245 Bn CRPF and is joining his new unit i.e. 13 Bn CRPF. The Counsel for the Appellant Sh Rajeev Anand, Advocate, submits that that the above order dated 13.02.2021 has already been executed in favour of the Appellant who is relieved from 245 Battalion CRPF to join 13 Battalion CRPF.

The swift response and rising to the situation in favour of its needy employee by the officer Respondent No. 3 Inspector General, CRPF, North-West Sector is appreciable and commendable and we accordingly extend our appreciation for Inspector General, CRPF, North-West Sector. The Hon'ble Supreme Court in "**Capt Virendra Kumar vs Union Of India**" reported as **(1981) 1 SCC 485** in para 13 observed that the defence personal are dear to the country and the human resources are the real wealth of a nation. The respondents have demonstrated that they have due concern for their men. We hope and expect that the respondents and its Officers will remain considerate towards the peculiar extraordinary circumstance of the

Appellant in the new Battalion towards the treatment and medical re-imbursements as per the entitlements of the Appellant.

In view of the aforesaid compliance, no orders are called for the present Appeal as also the COCP 2200 of 2020 and the same are disposed of as having been rendered infructuous.

Ordered accordingly.

**(JASWANT SINGH)
JUDGE**

**(SANT PARKASH)
JUDGE**

February 19, 2021
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>