

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

**Date of Decision :19.04.2022
LPA No.298 of 2022 (O&M)**

AnjuAppellant
Versus

Union of India and others Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr.R.S.Bajaj, Advocate for the appellant.

Mr. Arun Gosain, Sr. Govt. Counsel for UOI.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral):

This appeal has been filed by the appellant being aggrieved by an order and judgment dated 05.04.2022, passed by the learned Single Judge in CWP No.7122 of 2022, whereby the petition filed by the petitioner, challenging her transfer, who is a Subedar Major (sister in-charge) with Border Security Force at Composite Hospital, Jalandhar Cantt. to Sri Nagar, has since been dismissed.

Learned counsel for the appellant submits that she is suffering from ailment of Osteoporosis and is undergoing treatment at Jalandhar. He further submits that the appellant has about three years of service remaining, therefore, in terms of the policy she was required to be accommodated here at Jalandhar itself instead of transferring her. He further submits that learned Single Judge has not taken note of this aspect while dismissing the petition.

We have heard learned counsel for the appellant and perused the impugned order passed by the learned Single Judge in the writ petition

Learned Single Judge after taking into consideration the issue

raised by the petitioner and taking note of the fact that the petitioner has stayed at Jalandhar in aggregate for a period of 23 years and that she has more than three years service remaining whereas the transfer policy requires compassionate consideration for only those cases, where the period of service remaining is two years or less than two years. Further, on receiving the transfer order the appellant had made a request for being accommodated at Jalandhar itself till March 2022 for, she was undergoing treatment and the authorities had acceded to her request and permitted to continue at Jalandhar. However, the appellant still after availing the said concession, challenged the order of transfer.

In the wake of the above, we do not find any illegality in the order passed by the learned Single Judge.

The appeal being devoid of merit is accordingly dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

19.04.2022
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No