

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

CWP NO. 11029 OF 2022

DATE OF DECISION: 23.05.2022

Dr. Sumit Berwal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Ms. Harmanpreet Kaur (Simmi), Advocate and
Mr. Vazir Mor, Advocate
For the petitioner.

Mr. Sharan Sethi, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, inter alia, seeks issuance of a writ in the nature of certiorari for quashing of order dated 13.05.2022 (Annexure P-3) whereby petitioner has been transferred on deputation from Government Ayurvedic Dispensary, Chanot, District Hisar to Baba Kheta Nath Government Ayurvedic College/Hospital, Pattikara, Narnaul (Mohindergarh).

2. Petitioner is working as Ayurvedic Medical Officer with the respondent-department since 03.03.2014. He was transferred to the present place of posting two months back from Ambala. Wife of the petitioner is working in Punjab government as doctor and is posted at Tehsil Moonak, District Sangrur. Petitioner has to look after not only his minor two sons but also his father who has certain age-related ailments.

There is no other male member in the family. Vide impugned order dated

13.05.2022 (Annexure P-3), petitioner has been again transferred on deputation ignoring the fact that he was transferred two months back. He also submitted representation dated 14.05.2022 (Annexure P-4) but the same has not been adverted till date. Hence, the instant petition.

3. As per transfer policy, the normal tenure of a doctor under the Ayush department at any place of posting is three years.

3. On advance service, learned State counsel appears and submits that a decision will be taken by competent authority, either way, on the pending representation dated 14.05.2022 (Annexures P-4).

4. At this stage, learned counsel for the petitioner also seeks decision on the pending representation, as suggested by the learned State counsel.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the respondents to decide the representation dated 14.05.2022 (Annexures P-4) and pass an administrative order, in accordance with law.

7. Till the passing of final order on the pending representation, the impugned order dated 13.05.2022 (Annexure P-3) shall remain stayed.

8. Let the needful be done within two weeks.

9. Disposed of.

MAY 23, 2022
Shalini

(ARUN MONGA)
JUDGE

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