

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

226

CWP-26304-2016

Date of Decision: 05.07.2023

Kamlesh Kumar Shukla

...Petitioner

Versus

Director General, Border Security Force and Others ...Respondents**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Rajeev Anand, Advocate for the petitioner

Ms. Balwinder Kaur, Sr. Panel Counsel,
for Union of India-respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant writ petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 23.10.2015 (Annexure P-18) whereby request of the petitioner to retain him as Nursing Assistant in Medical Directorate, BSF has been turned down and petitioner has been repatriated to his parent cadre i.e. General Duty.

2. Learned counsel for the petitioner, on being pointed out that since 2015 the petitioner is working in General Duty Cadre, submits that it is an undisputed fact that he has been diagnosed with *Lumbar Canal Stenosis at L4 Level* and he has been kept under low medical category. It is further an undisputed fact that he had worked for 14 years as Nursing Assistant, thus, he may not be posted at hard areas.

3. Learned counsel for the respondents-Union of India, on instructions from the department, submits that since 2015 the petitioner has been assigned sedentary duties and in future he would not be posted at hard areas and would be assigned only sedentary and other light duties considering his disabilities.

In view of statement of learned counsel for the respondents-Union of India, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

05.07.2023
Mohit Kumar

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