

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

120

**CWP No.19122 of 2023
Date of Decision : 31.8.2023**

*Anil Kumar**..... Petitioner**versus**State of Haryana and another**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Rishi Lal, Advocate, for the petitioner

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed seeking a writ of *mandamus* directing respondent no.2 to consider the petitioner's representations dated 31.7.2023 and 10.4.2023 (Annexures P-1 and P-6 respectively) for transfer in his hometown, Jind, on account of chronic disability he is suffering from.

2. Learned counsel for the petitioner contends that the petitioner is severally disabled as he has Chronic Neurological Conditions and CVA with left hemiparesis, as is apparent from the disability certificate dated 6.3.2023 (Annexure P-7). Therefore, his case should be considered sympathetically for transfer in his home town as per the policy. He further submits that after filing of the petition, the petitioner has been promoted on the post of Circle Superintendent (Field Cadre), vide order dated 28.8.2023, and has been posted at Hisar. In view of the changed circumstances, at this stage he may be permitted to make a fresh

Health and Engineering, Haryana, praying for posting at his hometown by giving relaxation under the transfer policy.

3. Notice of motion.

4. Mr. Ravinder Singh Budhwar, Addl. AG, Haryana accepts notice on behalf of the respondents/State, and submits that in case any such representation is made, the same will be decided by considering the petitioner's chronic disability.

5. In view thereof, without going into the merits of the case, the petition is disposed of with a direction to Additional Chief Secretary, Department of Public Health and Engineering, Haryana, to decide the petitioner's representation, if any, submitted by him, in accordance with law by passing a speaking order, within a period of six weeks from the date of receiving the same.

(TRIBHUVAN DAHIYA)
JUDGE

31.8.2023
Ashwani

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