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2024:PHHC:015135

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-203-2024

Date of decision: 05.02.2024

HARWINDER SINGH

...PETITIONER

Vs.

UNION OF INDIA AND OTHERS

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. R.D. Bawa, Advocate,
Mr. Randhir Bawa, Advocate and
Mr. Dipanshu Kapur, Advocate
for the petitioner.

Mr. Shivoy Dhir, Senior Panel Counsel
for the respondents- Union of India.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of transfer order dated 17.10.2023 whereby petitioner has been transferred from Chandigarh to Nagaland.

2. Learned counsel for the petitioner *inter alia* contends that knees replacement surgery of wife of petitioner is going to take place in March' 2024 and petitioner has been transferred from Chandigarh to Nagaland. The petitioner is going to retire by December' 2025. At this age, it is difficult for the petitioner to shift to Nagaland and get his wife treated from a hospital in or around Nagaland.

3. Mr. R.D. Bawa, Advocate further submits that petitioner may be permitted to continue till 15.05.2024 because by that time the knee surgery of his wife would have already taken place and rest/exercise period would be over.

4. Mr. Shivoy Dhir, Senior Panel Counsel does not seriously dispute prayer of the petitioner that he may be permitted to continue till 15.05.2024, however, submits that medical facilities at Kohima are also available.
5. This Court is not oblivious of the fact that scope of interference under Article 226 in transfer matters is very limited, nevertheless, considering the statement of petitioner, the respondents are directed to permit the petitioner to continue till 15.05.2024. It is made clear that petitioner shall leave Chandigarh on 15.05.2024 and would not raise grievance on one or another ground.
6. In view of the above, the present petition stands disposed of.

05.02.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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