

2024:PHHC:018993

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

116

CWP-2958-2024 (O&M)
Date of decision: 12.02.2024

Kanwaljit Kaur
....Petitioner

Versus

State of Punjab and Others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. A.S. Barnala, Advocate for the petitioner

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the impugned order dated 23.01.2024 passed by respondent No.2, vide which the petitioner has been transferred from the place of her current posting to the Statistics Office at Faridkot being wrong, illegal and arbitrary.

2. Learned counsel would *inter alia* contend that the petitioner, who is posted as Junior Assistant, has been transferred from Chandigarh to Faridkot, at a time, when the exams of her daughter, who is studying in Class-XII, are about to commence, datesheet of which has been appended as Annexure P-7. Besides the above, she also has a mentally challenged son, suffering from 50% disability, certificate appended as Annexure P-8, while, even she has certain medical issues, the record for which has been appended as Annexure P-6. These facts being not in the knowledge of the Department, she brought these to their notice by submission of a representation dated 24.01.2024, Annexure P-5, which though has not yet evoked any response. He, however, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a

direction is given to the respondents to decide the same in a time bound manner by granting her an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Gagneshwar Walia, Addl. AG, Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider the representation dated 24.01.2024, Annexure P-5 and decide the same within a period of 2 weeks. Till the decision of the same, the petitioner be not relieved and in case her plea does not find favour with the respondents, for another week, the order of transfer be acted upon, enabling her to challenge the same.

(AMAN CHAUDHARY)
JUDGE

12.02.2024
M.Kamra

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