

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
114

CWP-4276-2024 (O&M)
Date of decision: 26.02.2024

Surinder Singh Dhillon

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mrs. RK Grewal, Advocate for the petitioner.

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing impugned order dated 10.02.2024 (Annexure P6).
2. Learned counsel would submit that the petitioner is physically challenged person having 40% visual disability and his wife is a cancer patient and daughter is appearing for class 10th exam. He was given the charge of ADC(D) at Sri Muktsar Sahib and within 1½ month thereof, he has been transferred to headquarter without seeking an option as required in view of the transfer policy dated 23.04.2018 (Annexure P2). These aspects have not been taken into consideration by the competent authority. She prays that liberty be granted to petitioner to bring to the notice of the authorities all these facts supported by documents to substantiate them, for which he would file a representation within 2 days. She thus, 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 him an opportunity of hearing.
3. Notice of motion.

4. At the asking of the Court, Mr. Swapan Shorey, DAG, Punjab, accepts notice on behalf of the respondent-State and has no objection to the limited prayer made. He, on instructions from Ms. Vandana, Superintendent, Head office of Director Rural Development and Panchayat, submits that in case a representation is submitted, the same shall be considered and decided within a period of 10 days.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction that in case the petitioner submits a representation within a period of 2 days, the same shall be considered by the respondents and decided by taking a sympathetic view in the matter, within a period of 10 days and if found entitled, necessary benefit be granted forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioner. Till then, the order impugned be kept in abeyance.

26.02.2024
ashok

(AMAN CHAUDHARY)
JUDGE

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