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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11969-2018 (O&M)
Date of Decision:27.05.2024

RAKESH SINGH GUSAIN

..... Petitioner

Versus

UNION OF INDIA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. R.D. Bawa, Advocate with
Mr. Samuel Gill, Advocate and
Mr. Rishab Rana, Advocate
for the petitioner.

Mr. Shivoy Dhir, Senior Panel Counsel
for the respondents-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 20.12.2017 (Annexure P-15) whereby his request for change of place of posting has been rejected.
2. The impugned order was passed on 20.12.2017 (Annexure P-15) and petitioner himself had given option to respondent to post him at Rishikesh. On account of mental disability of petitioner’s son, he could not be transferred.
3. Learned counsel for the parties are *ad idem* that in view of changed facts and circumstances, the matter needs to be re-considered by competent authority.
4. Mr. R.D. Bawa, Advocate submits that respondent may be

further directed to consider instructions dated 24.04.2024 and 08.10.2018 before passing further order.

5. The present petition stands disposed of with liberty to respondent to pass fresh order in accordance with law. The respondent before passing any order shall take care of its instructions. With respect to rent of accommodation, it is made clear that respondent before assessing rent would take care of interim orders passed by this Court.

6. Pending misc. application, if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

27.05.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>