

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.241-A

CWP-20919-2022

Date of decision : 22.02.2024

Ashok Kumar Dhillon

.....Petitioner

Versus

State of Punjab and ors.

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

Mr. Gagneshwar Walia, Addl.A.G. Punjab

AMAN CHAUDHARY, J.

1. The prayer in the present Civil Writ Petition filed under Articles 226/227 of the Constitution of India, is for directing the respondents to release the due salary of the petitioner for the period 05.08.2021 to 02.12.2021 along with interest.

2. Learned counsel would submit that the petitioner working as Medical Specialist in Civil Hospital, Pathankot was transferred to Ranjit Sagar Dam Hospital, Shahpurkandi, Pathankot but was not permitted to join due to non-availability of the said post, thus, his period between 5.8.2021 to 2.12.2021 was treated as leave of kind due. However, he has neither been given continuity of service, nor salary, nor annual increments, despite there being no fault of his.

3. The petitioner having served with both the Institutions and it being a case of transfer at the hands of the State, learned counsel on instructions from the petitioner, submits that he is sanguine that if a direction

is given to the Principal Secretary, Department of Health and Family Welfare, Chandigarh the matter can be reconciled, it being between the two Departments.

4. Learned State counsel has no objection to the limited prayer made.

5. In view of the aforesaid and without commenting upon the merits of the case, the present petition is disposed of with a direction to respondent No.1 to decide the issue expeditiously, preferably within a period of four months and if found entitled, necessary benefit be granted to him forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioner.

(AMAN CHAUDHARY)
JUDGE

22.02.2024
G Arora

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