



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(127)

CWP No. 20600 of 2024
Date of Decision : 23.08.2024

Mukesh Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Munish Puri, Advocate for the petitioner.

Mr. Swapan Shorey, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that petitioner has been transferred vide order dated 14.08.2024 (Annexure P-4) from Gurdaspur to S.A.S. Nagar, Mohali.
2. Learned counsel for the petitioner submits that the wife of the petitioner is in advance stage of pregnancy and in fact, at this very movement, she has already been admitted to the hospital. Learned counsel further submits that petitioner has been transferred, whereas other Class-IV employees, who had more tenure at Gurdaspur have not been transferred. Learned counsel for the petitioner submits that the petitioner will file appropriate representation within a period of one week from today and the respondents be directed to consider the same so as to post the petitioner near Gurdaspur, if possible.
3. Notice of motion.
4. On the asking of the Court, Mr. Swapan Shorey, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.



5. Learned counsel for the respondents on instructions from Mr. Rajiv Kumar, Superintendent, submits that in case any representation is received from the petitioner within a period of seven days from today, the same will be decided in accordance with law within a period of two weeks of the receipt of any such representation and in case, it is found feasible to adjust the petitioner near Gurdaspur, the same will be done, otherwise due reasons will be mentioned in the speaking order for not accepting the claim, which will be conveyed to the petitioner.

6. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

8. Learned counsel for the petitioner prays that the petitioner should be allowed to continue at Gurdaspur till any order on the representation is passed, especially when the wife of the petitioner is in hospital.

9. Once the respondents are considering the claim of the petitioner for adjusting him at a nearby station in Gurdaspur coupled with the fact that the wife of the petitioner is in hospital, the respondents are directed not to implement the impugned order dated 14.08.2024 qua the petitioner till the decision on his representation.

August 23, 2024
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No