



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

**CWP No.12668 of 2024 (O&M)
Date of Decision: 20.01.2025**

Dr. Lakhbir Kaur

.....Petitioner.

Versus

Union of India and others

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
 HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Mr. Harinder Sharma, Advocate
 for the petitioner.

Mr. Gandharv Malhotra, Advocate for
Mr. Ashwani Talwar, Advocate
for respondents No.2 to 6.

SANJEEV PRAKASH SHARMA, J.(Oral)

This is a writ petition assailing the order dated 13.05.2024 passed by the Central Administrative Tribunal, Chandigarh (for short 'the CAT') in the **O.A. No.361 of 2024** filed by the writ-petitioner, whereby the competent authority was directed to consider the request of the applicant/petitioner for grant of leave sympathetically, as per rules, within a period of two weeks.

2. The above-said order shows that the writ-petitioner has already been relieved on 10.11.2023, whereafter more than one year has lapsed.



3. As informed by learned counsel for respondents No.2 to 6, the writ-petitioner has not joined at her new place of posting.

4. Learned counsel appearing for the writ-petitioner submits that the petitioner is in a precarious health condition.

5. However, we find that the same cannot be a reason for not joining at the new place of posting. No person has arrived to continue at one particular place. We find that the petitioner is a doctor and if she has any particular ailments, the same can always be taken care of at her new place of posting at Gurugram which has much better medical facilities. Merely because the petitioner is undergoing in IVF treatment, cannot be a reason for not joining at the new place of posting. The O.A. of the petitioner is already pending before the CAT.

6. In these circumstances, we do not find any reason to interfere with the order passed by the CAT. The writ petition is misconceived and accordingly, dismissed.

7. All pending civil misc. applications also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

January 20, 2025
Yag Dutt

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No