



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-17810-2025 (O&M)

Date of decision: 03.07.2025

Wg. Cdr. R.S. Sandhu

...Petitioner

VERSUS

Union of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. ADS Jattana, Advocate for the petitioner(s).

VINOD S. BHARDWAJ, J. (Oral)

1. Citing the critical health condition of the petitioner's mother, who is stated to be in the advanced stages of illness and nearing the end of her life, the transfer order dated 19.03.2025 has been challenged in the instant writ petition before this Court.

2. Learned counsel appearing on behalf of the petitioner contends that, although the respondent authorities have shown sufficient indulgence by accommodating the petitioner and to help mitigate his family hardships arising from the ill health of his mother, despite the petitioner having served in the Punjab area for 11 years and 2 months out of his total 14 years and 4 months of service at various units. It is urged that the medical prognosis indicates that his mother may have limited time left with an estimated maximum period of six months. He therefore prays that the impugned order of transfer be stayed for a period of six months or till change in the said circumstance, whichever is earlier, to enable the petitioner to discharge his pious obligation towards his parents.

3. Notice of motion.

4. Mr. Sunil K. Sharma, Sr. Panel Counsel, assisted by Wing Cdr. S.S. Chahal, accepts notice on behalf of the respondent(s)-UOI. He has



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placed an emphatic reliance on the reasons cited by the competent authority while declining the request of the petitioner which was ordered to be decided by this Court vide order dated 23.05.2025 passed in CWP-15059-2025. However, he is not in a position to dispute that the mother of the petitioner is terminally ill.

5. Taking into consideration the totality of circumstances and the undisputed critical health condition of the petitioner's mother, who is terminally ill, while wishing her good health and quick recoveries, I deem it appropriate, in exercise of my discretion and considering extreme compassionate grounds, to accept the petitioner's request. Accordingly, the impugned order of transfer is ordered to be kept in abeyance for a period of six months or till a change in the health conditions pertaining to the petitioner's mother, whichever is earlier.

6. It is made clear that no further indulgence shall be granted. The petitioner undertakes to join the transferred place of posting, upon the occurrence of the aforesaid event and/or the expiry of the period of six months from today, whichever is earlier.

7. **The petition is disposed of.**

8. Needless to mention, the present order shall not operate as a bar against the respondents to transfer the petitioner to any other station at that time and to suitably post the petitioner in accordance with the changed circumstances.

(VINOD S. BHARDWAJ)
JUDGE

03.07.2025

Mangal Singh

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