



261 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-485-2026 (O&M)
Date of decision: 07.04.2026

MANOJ KUMAR

...Appellant

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. Anshul Mangla, Advocate
Mr. Shashikant Gupta, Advocate
for the appellant.

Mr. Saurabh Mohunta, D.A.G. Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This appeal arises out of an order passed by the learned Single Judge refusing to interfere with the order of transfer.
2. It transpires that the appellant was working at Narnaul and has been transferred to Charkhi Dadri on 04.09.2025. The order of transfer was assailed on the ground that the appellant is suffering from a serious medical ailment and is required to be posted within a radius of 15 kms of a higher medical center so that in the event of medical exigency, he may avail of such services.
3. Learned Single Judge has got the appellant medically examined and thereafter, refused to interfere with the order of transfer.
4. Alongwith the appeal, the appellant has placed on record an MRI report of PGIMER, Chandigarh to indicate that medical exigency does exist in



the case of the present appellant, warranting his posting at a place nearby a higher medical center.

5. Learned State counsel opposes the prayer made in the appeal and submits that the appellant has been posted at Narnaul for nearly 13 years and therefore, there is no justification for his reposting at the same station.

6. While entertaining the appeal, an order of status quo has been passed. An affidavit has been filed on behalf of the respondents reiterating the stand taken by the State before the learned Single Judge.

7. Be that as it may, the MRI report of the appellant obtained from the Department of Radiodiagnosis & Imaging, PGIMER, Chandigarh, does indicate chronic hemorrhage in left temporal lobe alongwith chronic lacunar infarct in left frontal lobe. The contention that the appellant's posting being close to a higher medical center would be desirable, therefore, merits consideration.

8. Considering the fact that the appellant has been posted at Narnaul for 13 years, we deem it appropriate to direct the respondents to reconsider the transfer of the appellant to any other place which has a higher medical center. PGIMS, Rohtak is one such place and therefore, the respondents would be at liberty to pass a fresh order of transfer in respect of appellant's posting in an area which is within 15 to 21 kms to a higher medical center so that in the event of any medical exigency, he may avail of appropriate medical assistance.

9. We also clarify that it would be open for the respondents to reconsider the question of transfer of the appellant after a year, depending upon the fresh medical inputs, which may be obtained from the concerned authority. We also provide that in the event the appellant joins at such fresh



place of transfer, he shall be at liberty to approach the authority concerned for recall of the order of suspension, on which appropriate orders shall be passed within further period of 10 days.

- 10. The Letters Patent Appeal is accordingly disposed of.
- 11. Pending application(s), if any, stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

07.04.2026

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