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W.P(C)No. 28 OF 2004

ITEM No.31

Court No.10

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(Civil) No.28/2004

A.K. GUPTA

Petitioner (s)

VERSUS

STATE OF HARYANA & ORS.

Respondent (s)

(With Appln(s). for ex-Parte stay and permission to submit additional document(s) and exemption from filing O.T.)

Date : 13/02/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. Jasbir Singh Malik, Adv.
Mr. S.K. Sabbarwal,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following
O R D E R

We have heard learned counsel for the petitioner.

The petitioner, who is an Assistant Excise and Taxation Officer, is kept under suspension. His head quarters have been shifted from Gurgaon to Chandigarh. Learned counsel for the petitioner submits that the petitioner has serious ailments and requires urgent by-pass surgery and that as is unable to arrange funds for the same, his surgery is being postponed for another two months. It is further stated that the petitioner is not in a position to move to Chandigarh due to his ailments.

Having regard to these facts, we direct that the impugned order whereby the petitioner has been shifted from Gurgaon to Chandigarh shall not be implemented by the respondent for a period of three months. If the respondents feel aggrieved by this order, they would be at liberty to move this Court for modification.

The writ petition is disposed of accordingly.

(N. Annapurna)
Court Master

(Veera Verma)
Court Master