

Court No. - 36

Case :- WRIT - A No. - 11038 of 2023

Petitioner :- Vandana Chaurasiya

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Shri Prakash Mishra, Bal Mukund Singh

Counsel for Respondent :- C.S.C., Archana Singh, Bipin Bihari Pandey

Hon'ble Manjive Shukla, J.

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondents No. 1 & 2 as well as Smt. Archana Singh, learned counsel appearing for the Respondents No. 3 & 4.

2. Petitioner has filed this writ petition inter alia praying therein for following reliefs :-

"(I) issue a writ, order or direction of suitable nature commanding the respondent to permit inter district transfer of petitioner from district Balrampur (district termed to be aspirational district) to district Ayodhya in Junior Basic/Senior Basic Schools established and administered by the Board of Basic Education U.P..

(II) Issue a writ, order or direction in the nature of mandamus directing the respondents to decide the representation 10.05.2023 of petitioner (Annexed as Annexure No. 4 to this writ petition) and consider the claim of the petitioner for transfer from the district Balrampur to district Ayodhya under peculiar exceptional medical circumstances faced by the petitioner within a time bound period."

3. Learned counsel appearing for the petitioner has submitted that since petitioner has not completed two years requisite service as Assistant Teacher in District Balrampur, therefore she could not file application for her inter district transfer.

4. Learned counsel appearing for the petitioner has further submitted that father of the petitioner is suffering from disease cancer therefore, her case for inter district transfer may be considered.

5. On the other hand Smt. Archana Singh, learned counsel appearing for the Respondents No. 3 & 4 has submitted that entire exercise of inter district transfers initiated pursuant to Government

order dated 02.06.2023 has already been completed and now if the petitioner wants her transfer to another district then she can file application whenever the next exercise of inter district transfers is initiated by the respondents.

6. Learned counsel appearing for the petitioner at this stage has submitted that since petitioner is completing requisite two years of service on 23.11.2023, therefore this writ petition may be disposed of with a direction to respondents that if petitioner submits online application in the next exercise of inter district transfers then her case may be considered sympathetically.

7. In view of the aforesaid submissions, this writ petition is finally disposed of with liberty to petitioner to file online application for her inter district transfer in the next exercise (if any) of inter district transfers and, if such application is filed respondents are directed to consider petitioner's application sympathetically.

Order Date :- 16.11.2023

Gaurav