

Court No. - 36

Case :- WRIT - A No. - 13782 of 2023

Petitioner :- Preeti Prajapati

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

Counsel for Petitioner :- Prabhakar Awasthi, Ajitabh Choubey

Counsel for Respondent :- C.S.C., Archana Singh

Hon'ble Manjive Shukla, J.

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

2. Petitioner has filed this writ petition for a direction from this court thereby commanding the District Basic Education Officer, Sonebhadra to permit her to join at District Sonebhadra pursuant to her transfer order dated 26.06.2023.

3. Smt. Archana Singh, learned counsel appearing for the Respondents No. 2, 3 & 4 on the basis of instructions has submitted that petitioner's transfer made vide order dated 26.06.2023 has already been cancelled by the Secretary, U.P. Basic Education Board, Prayagraj vide order dated 25.10.2023.

4. Learned counsel appearing for the petitioner has submitted that since petitioner's transfer order dated 26.06.2023 has been cancelled vide order dated 25.10.2023, therefore, petitioner wants that she may be allowed to join on the post of Assistant Teacher in District Maharajganj.

5. It has further been submitted by the learned counsel appearing for the petitioner that since petitioner pursuant to transfer order dated 26.06.2023 was relieved on 12.08.2023, therefore, a direction may also be issued by this court that once petitioner joins on her post in District Maharajganj, she may be paid salary of the intervening period.

6. I have considered the submissions advanced by the learned counsels appearing for the parties, and I find that petitioner's transfer order dated 26.06.2023 has been cancelled by the order dated 25.10.2023 passed by the Secretary, U.P. Basic Education Board, Prayagraj. Since pursuant to order dated 26.06.2023 petitioner was relieved from District Maharajganj on 11.08.2023, therefore, petitioner is entitled for payment of

salary for the intervening period.

7. In view of the aforesaid submissions, advanced by the learned counsels appearing for the parties, this writ petition is disposed of with liberty to petitioner to join at her post in District Maharajganj and if she submits joining within a period of two weeks from today, the District Basic Education Officer, Maharajganj shall pass appropriate order for payment of salary to the petitioner for the period from 11.08.2023 till the date of her joining in District Maharajganj.

Order Date :- 4.12.2023

Gaurav