

Court No. - 34

Case :- WRIT - A No. - 15312 of 2023

Petitioner :- Pradeep Saxena

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Arun Kumar Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Supplementary affidavit filed today is taken on record.

Heard learned counsel for the parties and perused the record.

By means of this petition filed under Article 226 of the Constitution, petitioner has questioned the transfer order transferring the petitioner from Tehsil Bhongaon, District Mainpuri to Tehsil Karhal, District Mainpuri only on the ground that as per the transfer policy promulgated by the State Government under the Government order dated 7th June, 2023 which transfers the employees except in respect of those employees who elected as office bearer of the employees' association.

Learned counsel for the petitioner submits that though petitioner has been previously elected as office bearer of the employees' association but he had never taken advantage of same as there was no transfer order was passed previously.

Per contra, it is argued by learned Standing Counsel that transfer policy itself creates bar of two years who have been elected as office bearers of the employees association. It is, therefore, submitted that petitioner has been elected for the second term as office bearers of same employees' association of tehsil – Bhongaon, he cannot be permitted to take advantage of the same.

In view of the above, while declining to interfere in the matter I hereby provide that in the event petitioner makes representation within a period of twenty days from today, the same shall be considered and disposed of by the authority concerned within a further period of two weeks by means of a reasoned and speaking order.

Order Date :- 7.11.2023

Atmesh