

Court No. - 34

Case :- WRIT - A No. - 17028 of 2023

Petitioner :- Ajay Singh Fauzdar

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

Counsel for Petitioner :- Arvind Kumar Dixit

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Petitioner, who has been promoted from Village Development Officer to Additional Development Officer (Panchayat) and now has been transferred from Agra to Gonda vide order dated 22nd September, 2023.

He submits that in all 159 persons have been promoted and many persons juniors to the petitioner have been retained at Agra whereas petitioner has been transferred from Agra to Gonda and this, according to the petitioner, is a case of discrimination.

Per contra, it is argued by learned Standing Counsel that petitioner has remained posted at Agra since the year 1999 and now, he has been transferred on promotion in the administrative exigency to make necessary adjustments.

Having heard learned counsel for the parties and having perused the record, I find that petitioner has been promoted and thereafter he has been transferred from Agra to Gonda. Naturally, in administrative exigency on promotion certain adjustments are made and if petitioner has been transferred from Agra to Gonda, he cannot complain of such transfer made in administrative exigency, however, since petitioner complains of discrimination meted out to him as many junior persons have been retained even after promotion, it is hereby provided that if petitioner makes representation before the authority concerned within a period of two weeks from today and in the event such representation is made, the same shall be disposed of within a next two weeks' time.

For a period of one month or till the disposal of the representation, petitioner shall not be forced to join pursuant to the order dated

22nd September, 2023.

With the aforesaid observations and directions, this petition stands disposed of.

Order Date :- 17.10.2023

Atmesh