

Court No. - 34

Case :- WRIT - A No. - 17513 of 2023

Petitioner :- Mohiddin Siddiqui

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

Counsel for Petitioner :- Ashish Kumar Ojha

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Petitioner is aggrieved by transfer order dated 29.5.2023 and consequential relieving order dated 14.6.2023 on the ground that petitioner's case ought to have been sympathetically considered or holding him back at the station where he is working on account of his son being 90 per cent mentally retarded and aged about 27 years. He submits that in this regard, Joint Commissioner of Police, Crime and Headquarter Kanpur, Nagar had already made recommendation on 18th July, 2023 to accord sympathetic consideration to the request of the petitioner to cancel the transfer order.

It is argued on behalf of the petitioner that in the light of provisions as contained under the Government Order dated 7.6.2023, petitioner's case ought to have been considered on priority basis as special case on medical ground and he should have been permitted to stay back at the station where, he is working.

Learned Standing Counsel submits that petitioner since has made a representation to the competent authority that can be directed to be decided taking into consideration regarding provision of transfer policy/ government order as well as recommendations made in his favour on 18th July, 2023.

In view of above, I dispose of this petition at this stage with direction to the respondent to look into and consider the grievance of the petitioner raised in his representation already made to him not to transfer him from the current station in the light of the recommendations made by the Joint Commissioner of Police, Crime dated 18th July, 2023. Appropriate decision shall be taken by the respondents within a period of two months from the date of presentation of certified copy of this order. Besides above, the authority may also give consideration to the fact that petitioner is going to attained the age of superannuation in July, 2024.

Order Date :- 22.11.2023

Sanjeev