

Court No. - 35

Case :- WRIT - A No. - 17937 of 2023

Petitioner :- Kendra Pal

Respondent :- State Of U.P. And 14 Others

Counsel for Petitioner :- Rajesh Kumar, Ram Krishna Patel

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

1. Heard Sri Rajesh Kumar, learned counsel for the writ petitioner and Sri Shailendra Singh, learned Standing Counsel who appears for respondents No. 1 to 14.

2. The writ petitioner herein claims to be the husband of the 15th respondent. According to him, the 15th respondent happens to be the Assistant Teacher (Sanskrit) who was initially working in Government Girls High School, Dawlan, Ashothar, District Fatehpur she came to be transferred to Government Girls Inter College, Pahasu, District Bulandshahr and thereafter to Government High Schools, District Shaharanpur. Learned counsel for the writ petitioner submits that there happens to be a divorce petition pending between the writ petitioner and the 15th respondent. However, the 15th respondent has cheated and played fraud while procuring transfers. He submits that pending representations of the writ petitioner are to be considered in that regard.

3. Sri Shailendra Singh, learned Standing Counsel submits that the present writ petition at the instance of the writ petitioner is not maintainable. The dispute which is engaging attention in a divorce petition cannot be dragged before this Court in the present proceedings. According to him, it is for the State Respondents and its functionaries to take follow-up action as and when they notice any irregularity. It is the further submission of Sri Shailendra Singh, learned Standing Counsel that the writ petition is liable to be dismissed in that regard.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. In the opinion of the Court, the writ petitioner's status of a husband who is litigating with his wife 15th respondent, at the

instance of the writ petitioner is not maintainable particularly in view of the relief as couched in the writ petition.

6. Accordingly, the same is dismissed.

Order Date :- 26.10.2023

Rajesh