

Court No. - 33

Case :- WRIT - A No. - 17714 of 2023

Petitioner :- Prabhu Narayan Yadav

Respondent :- Managing Director Purvanchal Vidyut Vitaran Nigam Limited And 5 Others

Counsel for Petitioner :- Hausihla Prasad Mishra

Counsel for Respondent :- Lal Mani Singh

Hon'ble J.J. Munir,J.

Heard learned Counsel for the petitioner and Mr. Lal Mani Singh, learned Counsel on behalf of respondents.

The petitioner is aggrieved by an order of transfer dated 15.07.2023. He is a Fuseman in the employ of the Purvanchal Vidyut Vitaran Nigam Limited. The petitioner has been transferred from 33/11 KV Sub-Station Jangipura, District Mirzapur to the 33/11 KV Sub-Station Lalganj within the same district. The grievance of the petitioner is that the place of present posting is located at a distance of 40 kms from his residence and his wife keeps indifferent health. She is undergoing treatment.

Transfer is an incident of service and it is for the employer to decide which employee would serve where. The limited ground on which this Court can interfere is either *mala fides* if an order of transfer is actuated by it or a breach of Statutory Rules. In the present case, none of those grounds are forthcoming.

In the circumstances, no case for interference with the impugned order is made out. However, in case, the petitioner represents his case to the Chief Engineer (Distribution), Mirzapur Region, Purvanchal Vidyut Vitaran Nigam Limited, Mirzapur, the petitioner's representation shall be decided within 15 days of the date of its receipt and the result conveyed to the petitioner within a week of the decision being taken.

It is made clear that in making the representation to the Chief Engineer, the petitioner shall represent under his own signatures and shall not involve any outside agency like a Human Right Association or any N.G.O.

This petitioner is **disposed of**, accordingly.

Let this order be communicated to the Chief Engineer (Distribution), Mirzapur Region, Purvanchal Vidyut Vitaran Nigam Limited, Mirzapur by the Registrar (Compliance).

Order Date :- 18.10.2023/Vijay