

Court No. - 35

Case :- WRIT - A No. - 17831 of 2023

Petitioner :- Om Prakash Yadaw

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Shachindra Kumar Mishra

Counsel for Respondent :- C.S.C

Hon'ble Vikas Budhwar,J.

1. Heard Shri Shachindra Kumar Mishra, learned counsel for the writ petitioner as well as Shri Shailendra Singh, learned Standing Counsel who appears for respondent Nos. 1 to 3.

2. The case of the writ petitioner is that he is posted as Principal Government Polytechnic Sirsi, Santkabir Nagar since 01.04.2021 pursuant to order dated 15.03.2021 now by virtue of an order passed by Special Secretary Technical Education, Government of U.P., Lucknow, second respondent, the writ petitioner has been transferred to one of the Government Polytechnic at Jalaun.

3. Questioning the said transfer order, the writ petitioner submits that the mother of the writ petitioner, Smt. Saraswati is suffering from multiple diseases. Apart from the same, the writ petitioner is also suffering from various ailments. He further submits that the wife of the writ petitioner, Smt. Arti is also suffering and he wants to remain posted at a place from where he has been sought to transfer.

4. A supplementary affidavit filed, bringing on record the medical certificate.

5. Prayer in the present petition is for quashing the order dated 30.06.2023 passed by the second respondent. Shri Shailendra Singh, learned Standing Counsel submitted that the transfer has been effectuated particularly on administrative grounds and further in case the writ petitioner has any grievance relating to her personal problems then it is open for the writ petitioner approach the second respondent raising his grievance. He further submits that he does not propose to file any response to the writ petition. The writ petitioner be directed to approach the second respondent.

6. Considering the submission of the rival parties as well as stand

taken by them, the writ petition at the present stage preferred for quashing of the transfer order cannot be entertained, particularly, when only personal inconvenience is being sought to be raised without there being any violation of any statutory rules.

7. Accordingly, the writ petition is being **disposed of** granting liberty to the writ petitioner to approach the second respondent while filing a comprehensive representation in case such a representation is preferred, the second respondent shall decide the same strictly in accordance with law and also looking into the grievance of the writ petitioner pertaining the family problems within a period of one month from the production of the certified copy of this order.

8. With the aforesaid observations, the writ petition is **disposed of**.

Order Date :- 19.10.2023

A. Prajapati