

Court No. - 34

Case :- WRIT - A No. - 20139 of 2023

Petitioner :- Vinay Kumar Mall

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

Counsel for Petitioner :- Akhilesh Misra,R.K. Singh. Rajput

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Petitioner is aggrieved by the transfer order dated 30th June, 2023 and the relieving order passed on 3rd July, 2023.

Upon a query being made learned counsel for the petitioner submits that petitioner could not approach the Court earlier because his mother was suffering from serious ailments and also was physically handicapped with 55% disability.

Learned Standing Counsel on the contrary submits that because of his mother suffering from physical disability was not justified explanation for not approaching the Court in time. Petitioner, who could not join at the transferred place pursuant the relieving order, is not entitled to any relief.

Be that as it may, since petitioner has approached the authority concerned, it is hereby provided that in the event petitioner submits his joining within two weeks from today and makes a representation within a further period of two weeks, the same shall be considered and disposed of in terms of the Government policy dated 7th June, 2023 and appropriate decision shall be taken by the authority concerned within a further period of two weeks.

It is further provided that in the event petitioner joins at the transferred place as directed herienabove, no coercive measures shall be taken against him for not submitting his joining for six months and petitioner shall be entitled to payment of salary also subject to adjustment of period with leaves.

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

Order Date :- 5.12.2023

Atmesh