

Court No. - 35

Case :- WRIT - A No. - 20369 of 2023

Petitioner :- Ram Vilas

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

Counsel for Petitioner :- Juned Alam

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri Juned Alam, learned counsel for the writ petitioner as well as Sri Santosh Kumar Mishra, learned Standing Counsel who appears for respondents No. 1 to 3.

2. The case of the writ petitioner is that he was appointed on the post of Sweeper on 10.12.2005 in the third respondent-institution, S.K.J.P. Kanya Inter College, Bisalpur, Piliphit on temporary basis thereafter his services stood regularized on 14.12.2006. Owing to certain allegations made by the writ petitioner he was attached in the fifth respondent-institution, Principal, Government High School, Luhicha Bisalpur, District Piliphit. However, now by virtue of an order dated 27.10.2023 of the District Inspector of Schools, Piliphit, second respondent, he has been sent to the parent institution, S.K.J.P. Kanya Inter College Bisalpur, Piliphit. Learned counsel for the writ petitioner seeks to argue while driving force from Page 36 Annexure 7 that the institution from where he has been sought to be transferred there is nobody barring the writ petitioner class IV employee.

3. Sri Santosh Kumar Mishra, learned Standing Counsel who appears for respondents No. 1 to 4 submits that once the appointment of the writ petitioner was in the third respondent-institution and he was only attached then he has no vested right to continue there.

4. Having considering the submission of the rival parties, this Court is of the opinion that the writ petitioner does not possess any legal or enforceable right to remain posted in the fifth respondent-institution, Government High School, Luhicha Bisalpur, District Piliphit, thus, the writ petitioner is not entitled to any relief.

5. Accordingly, the writ petition is consigned to record.

Order Date :- 8.12.2023

Rajesh