

Court No. - 34

Case :- WRIT - A No. - 20548 of 2023

Petitioner :- Ashok Kumar Maurya

Respondent :- State Of U.P. And 5 Others

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

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Heard learned counsel for the petitioner as well as learned Standing Counsel.

By means of this petition filed under Article 226 of the Constitution, petitioner has questioned the transfer order dated 30.06.2023 as well as the relieving order dated 03.07.2023.

Learned Standing Counsel on the contrary submits that the petitioner has remained stationed in a district for last two decades and therefore, he could not have questioned the transfer order. Moreover, since he has already been relieved, he cannot remain absent from duty as it may invite disciplinary action.

Having heard learned counsel for the respective parties and their arguments raised across the bar, I do not find any satisfactory explanation being offered for the delay caused in approaching the Court questioning the order of transfer dated 30.06.2023, more especially in the circumstances when the petitioner had already stood relieved on 03.07.2023 as only explanation offered is that petitioner is physically challenged person and has been suffering from cardiac problem.

In my considered view, there is no good ground to interfere in the transfer order after more than six months, more especially when an employee has already stood relieved immediately within a month's time of passing of transfer order.

At this stage it is prayed that petitioner's representation may be directed to be considered and disposed of.

In the circumstances, before any representation of the petitioner is directed to be considered, it would be necessary therefore, that he reports/ submits his joining within two weeks from today and in the event if petitioner submits his joining within two weeks from today at the transferred place, his pending representation shall be

considered and disposed of by the competent authority within a further period of two weeks.

Subject to aforesaid observations, this petition stands **disposed of**.

Order Date :- 12.12.2023

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