

Court No. - 8

Case :- WRIT - A No. - 3786 of 2023

Petitioner :- Gorakh Prasad

Respondent :- Union Of India Thru. Secy. Deptt. Of Home Affairs Delhi And 4 Others

Counsel for Petitioner :- Prabhat Kumar

Counsel for Respondent :- A.S.G.I.

Hon'ble Dinesh Kumar Singh,J.

1. Heard learned counsel appearing for the petitioner and Sri S.B. Pandey, learned Deputy Solicitor General of India assisted by Sri Varun Pandey, learned counsel appearing for Union of India.

2. Present petition under Article 226 of the Constitution of India has been filed seeking to challenge the order dated 02.05.2023 whereby the petitioner, who is working as Inspector in Central Industrial Security Force, a para military force of the Union, has been transferred from Lucknow Airport to Bengaluru Airport.

3. Learned counsel appearing for the petitioner submits that the petitioner has less than 4 years left in the service. Petitioner's daughter's marriage is fixed in the month of November, 2023. It is further said that the son of the petitioner is studying in Class XI at Lucknow. Transfer of the petitioner from Lucknow to Bengaluru would put insurmountable difficulty to the petitioner to manage the marriage of his daughter properly. The petitioner has already made a representation, in this regard, before the Additional Director General, Airport Sector-Central Industrial Security Force Complex Mahipalpur, New Delhi, however, no decision has been taken till date.

4. This Court normally does not interfere in the transfer and posting matters, which are subject matter better left to the discretion of the competent authority, who is more equipped for making transfer and posting of the employees at appropriate places considering the exigency and requirement of the service. However, ends of justice would meet, if the Additional Director General, Airport Sector-Central Industrial Security Force Complex Mahipalpur, New Delhi (respondent No.3) is directed to

take an appropriate decision on the representation of the petitioner within a period of four weeks from the date, a certified copy of this order is produced before him. This Court would like to make it clear that this Court has not observed anything on merit of the case. It is mainly for respondent No.3 or any other authority to take an appropriate decision.

5. With the aforesaid direction, the writ petition stands ***disposed of***.

(Dinesh Kumar Singh, J.)

Order Date :- 22.5.2023
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