

Court No. - 8

Case :- WRIT - A No. - 4117 of 2023

Petitioner :- Ahsan Ali Pno. No. 920441378

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Home,
U.P. Lko. And 3 Others

Counsel for Petitioner :- M.P. Raju

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh,J.

1. Heard Mr. M.P. Raju, learned counsel for the petitioner and Ms. Deepshikha, learned Chief Standing Counsel appearing for the State-respondents.

2. The present petition under Article 226 of the Constitution of India has been filed seeking following reliefs:-

"(i) Issue a writ, order or direction in the nature of Certiorari quashing the impugned order dated 05.04.2023 passed by the opposite party No.3, contained as Annexure No.1 to the writ petition.

(ii) Issue a writ, order or direction in the nature of Mandamus commanding and directing the opposite parties not to transfer the departmental enquiry from District-Balrampur to C.B.C.I.D., Headquarter-Lucknow.

(iii)...

(iv)..."

3. The petitioner's wife Smt. Shameema Khatoon has given an application regarding ill-treatment, harassment and torture by the petitioner to her. On the said application of the wife of petitioner, the matter has been transferred to the C.B.C.I.D, Lucknow for investigation/inquiry.

4. The petitioner is posted in District-Balrampur. Therefore, the competent authority has taken conscious decision to transfer the said matter from District-Balrampur to Lucknow for conducting free, fair and impartial inquiry.

5. Considering the facts, I do not find that the impugned order suffers from any illegality which requires interference of this Court.

6. In view thereof, the present petition being devoid of merit and substance is hereby **dismissed**. However, the competent authority is

directed to conclude the said inquiry initiated against the petitioner preferably within a period of four months from the date a certified copy of this order is submitted before the competent authority.

(Dinesh Kumar Singh, J.)

Order Date :- 30.5.2023

Piyush/-