

Court No. - 8

Case :- WRIT - A No. - 4905 of 2023

Petitioner :- Ajay Kumar Pandey

Respondent :- State Of U.P Thru. Prin. Secy. Medical And Health Services, Lko.
And 2 Others

Counsel for Petitioner :- Aditya Vikram Shahi, Arvind Kumar Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh, J.

1. Heard Shri Aditya Vikram Shahi, learned counsel for the petitioner and Shri Jogendra Nath Verma, learned 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 to quash the transfer order dated 30.06.2023 passed by the respondent No.2 till the extent it relates to petitioner, by which petitioner has been transferred from Under Chief Medical Officer Deoria to under Chief Medical Officer, Siddarthnagar.

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3. Admittedly, the petitioner holds a transferable post. Transfer and posting are subject matter, which are better left to the discretion of the competent authority. The Court should be slow in interfering in transfer and posting matters, which are given effect on administrative exigency.

4. At this stage, learned counsel appearing for the petitioner submits that the petitioner will go and join to his transferred place of posting. However, the petitioner may be given liberty to move an application before the competent authority i.e. respondent No.2 for revisiting the transfer order.

5. Considering the aforesaid submission, the writ petition is **disposed of** with a direction to the petitioner to join at his transferred place of posting, thereafter, he will move an application before respondent No.2 to revisit the impugned order. The petitioner may file such an application within a period of 10 days after he joins at the transferred place. Respondent No.2 should take a decision within a period of 15 days thereafter.

(Dinesh Kumar Singh, J.)

Order Date :- 12.7.2023

Piyush/-