

Court No. - 8

Case :- WRIT - A No. - 4932 of 2023

Petitioner :- Dr. Smriti Singh Vimal

Respondent :- State Of U.P. Thru. Prin. Secy. Labour And Employment Deptt.
Lko. And 3 Others

Counsel for Petitioner :- Amrendra Nath Tripathi, Sudhir Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh, J.

1. Heard learned counsel appearing for the petitioner and learned Additional Chief Standing Counsel appearing for the State.
2. Present petition under Article 226 of the Constitution of India has been filed seeking quashing of the order dated 28.06.2023 passed by respondent No.2 transferring the petitioner from Employees State Insurance Dispensary, Barabanki to Employees State Insurance Dispensary, Barabanki to Shantinagar, Meerut.
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 spouse of the petitioner is posted at Barabanki and his transfer is against the policy decision. 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 :- 13.7.2023
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