Court No. - 20

Case :- WRIT - A No. - 7761 of 2023

Petitioner :- Krishnawati Devi
Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Medical Health And Family Welfare Lko. And 4 Others
Counsel for Petitioner :- Chandresh Mani Shukla
Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and learned State Counsel for opposite parties.

2. Petition has been filed challenging order dated 19.09.2023 whereby petitioner who is working on post of Auxiliary Nursing Midwife has been transferred from one Sub-centre/Primary Health Centre to another Sub-centre.

3. It has been submitted that petitioner is due to superannuate within a period of two years and would therefore be covered by provisions of paragraph 5 (vi) of Government Order dated 07.06.2023 whereby she was required to be exempted from annual transfers. It is also submitted that the Sub-centre to which petitioner has been transferred is fairly far away and petitioner would have great difficulty in attending her duties at such a distant centre. Petitioner has also submitted that she has medical condition due to her advanced age and therefore requires exemption from aforesaid transfer.

4. With regard to aforesaid grievance, petitioner seeks liberty to file a representation before the authority concerned which may be directed to be decided.

5. Considering the innocuous prayer, without entering into merits, liberty is granted to petitioner to file representation before opposite party no.2 i.e. Director General, Family Welfare U.P., Lucknow within a period of four days from today. In case

such a representation is filed along with a copy of this order within the said time frame, the same shall be decided within a period of ten days from date of receipt of such representation.

6. Till a final decision on petitioner's representation, she shall not be compelled to join at the transferred place.

7. With aforesaid observations and directions, the petition is finally **disposed of**.

Order Date :- 17.11.2023
kvg/-

Digitally signed by :-
GIREESAN KV
High Court of Judicature at Allahabad,
Lucknow Bench