

Court No. - 7

Case :- WRIT - A No. - 7867 of 2023

Petitioner :- Rashmi @ Rashmi Pandey

Respondent :- State Of U.P. Thru. Secy. Basic Education And 4 Others

Counsel for Petitioner :- Amar Deep Mishra

Counsel for Respondent :- C.S.C.,Kumar Ayush,Ran Vijay Singh

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for respondents no.1, 3 and 4, Sri Ran Vijay Singh, learned counsel for respondent no.2 and Sri Kumar Ayush, learned counsel for respondent no.5.

2. With the consent of learned counsel for the parties, the writ petition is being finally decided.

3. The contention of learned counsel for the petitioner is that the petitioner while working as Assistant Teacher had submitted an application seeking inter-district transfer from District Shrawasti to District Unnao. Initially the respondents passed an order dated 26.06.2023, a copy of which is Annexure-1 to the writ petition, whereby the petitioner was found to be entitled for being transferred wherein the name of the petitioner finds place at serial no.13860. Subsequent thereto, by means of order dated 02.07.2023, a copy of which is Annexure-4 to the writ petition, the respondents have issued an order, so far as it pertains to the petitioner, whereby it has been indicated that the petitioner has been found ineligible for inter-district transfer.

4. Sri Ran Vijay Singh, learned counsel for respondent no.2, on the basis of instructions states that the case of the petitioner would not fall in the category of being a serious illness so as to have entailed the respondents to transfer the petitioner from Shrawasti to Unnao. It is also contended that the illness of husband of the petitioner has not been found to be so serious so as to have entailed the respondents to have granted 20 points for the purpose of weightage for inter-district transfer.

5. Be that as it may, learned counsel for the contends that the petitioner may be granted liberty of filing a representation to respondent no.2 for rederessal of her grievances and prays that respondent no.2 be directed to consider and decide the said

representation in accordance with law within a specified time.

6. To the said prayer, learned counsels for the respondents have no objection.

7. In view of the above, it is provided that in case the petitioner submits a representation within a week from today before respondent no.2 then respondent no.2 shall endeavour to decide the same by means of a reasoned and speaking order within a further period of four weeks from the date of submission of the representation along with certified copy of this order.

8. It would also be open to the petitioner to submit a certificate regarding medical illness of her husband along with representation that she would submit to the respondents.

9. With the aforesaid direction, writ petition is disposed off.

10. It is made clear that this Court has not gone into the merits of the case.

Order Date :- 11.10.2023

A. Katiyar