

Court No. - 20

Case :- WRIT - A No. - 7856 of 2023

Petitioner :- Zamaluddin

Respondent :- State Of U.P. Thru. Prin. Secy. Public Works Deptt. Civil Sectt. Lko And 3 Others

Counsel for Petitioner :- Chandra Shekher Pandey, Bhavini Upadhyay, Daya Shankar Tewari

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.

Petition has been filed challenging order dated 29th September, 2023 whereby petitioner working on the post of Junior Assistant has been transferred from District Mahrajganj to District Chandauli.

It has been submitted that aforesaid order has been passed as a measure of punishment on account of complaints lodged against petitioner by the local M.L.A. as would be evident from the report dated 2nd August, 2023. It has been submitted that transfer has been effected without calling for any explanation from the petitioner and clearly amounts to transfer as a mode of punishment, which is against service regulations. It has also been submitted that petitioner has been transferred to a place which is approximately 200 kms. away from the current place of posting and which would create considerable difficulty to the petitioner.

Considering the aforesaid facts and circumstances and particularly the fact that impugned order against would have been effected only on the basis of complaint made by local politician, liberty is granted to petitioner to file a representation before opposite party No. 2 i.e. Special Secretary, Public Works Department, Civil Secretariat, Lucknow. In case such a representation is filed within a period of three days from today, the same shall be decided within a period of ten days from the date a copy of this order is produced before the said authority.

Till decision on the representation of petitioner, he shall not be compelled to join at the place of transfer.

With the aforesaid observations, the writ petition stands **disposed of**.

Order Date :- 11.10.2023

prabhat