

Court No. - 20

Case :- WRIT - A No. - 8181 of 2023

Petitioner :- Mahendra Nath

Respondent :- State Of U.P Thru. Prin. Secy. /Addl. Chief Secy. Ayush
Deptt. Govt. Civil Sectr. Lko. And 2 Others

Counsel for Petitioner :- Lalendra Pratap Singh

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.
2. Petition has been filed challenging order dated 29.09.2023 whereby petitioner's representation for transfer from District Pratapgarh to District Varanasi has been rejected.
3. It has been submitted that earlier petitioner had filed Writ A No.4607 of 2023 requesting such transfer in view of his medical condition. The said petition was disposed of vide order dated 14.06.2023 directing opposite parties to consider petitioner's representation but subsequently in the transfer order issued on 30.06.2023, other persons were transferred to Varanasi ignoring the petitioner's representation due to which he filed Contempt Petition No.2839 of 2023 whereafter impugned order has been passed without indicating any reason for not complying with the directions issued by this Court on 14.06.2023.
4. It is submitted that even at present, a post of Ayurvedic Pharmacist is lying vacant in Government Ayurvedic College Varanasi. It is submitted that in case petitioner cannot be posted in the aforesaid place, he may be considered for posting in any nearby District.
5. For the aforesaid grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation before authority concerned. At present learned counsel for petitioner restricts his prayer for a final decision with regard to same.
6. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case petitioner is granted liberty to file a fresh representation before opposite party No.1 i.e. Principal Secretary/ Additional Chief Secretary, Ayush Department, Government of U.P., Civil Secretariat, Lucknow. In case such a representation is filed, the

same shall be considered and decided ignoring the order dated 14.06.2023 within a period of six weeks from the date a certified copy of this order is produced before the said authority.

7. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 19.10.2023

Subodh/-