

Court No. - 20

Case :- WRIT - A No. - 8242 of 2023

Petitioner :- Mohd. Shameem Khan, Pno No. 062350974

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Home Lko. And 4 Others

Counsel for Petitioner :- M.P. Raju

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 06.10.2023 whereby petitioner working on the post of Head Constable has been transferred from District- Unnao to District- Hathras.
3. Learned counsel for petitioner has adverted to the office order dated 22.06.2017 to submit that petitioner has not yet completed ten years of posting in the current District due to which there was no occasion to transfer him elsewhere since paragraph one of the aforesaid order prescribes a maximum tenure of ten years of posting in a particular District with regard to Head Constable.
4. Learned State Counsel, however, has adverted to paragraph six pertaining to administrative transfers and submits that police officials can be transferred anywhere at any time without advertent to paragraph one of the order.
5. Learned counsel for petitioner has, however, submitted that the transfer has been effected in mid-session while petitioner's children are studying in the local schools.
6. For the said grievance, petitioner seeks liberty to file a

representation before the authority concerned which may be directed to be decided.

7. Considering the innocuous prayer, without entering into merits, liberty is granted to petitioner to file a fresh representation within a period of three days from today before opposite party no.2 i.e. Additional Director General of Police (Establishment), D.G.P. Headquarter, Lucknow, who shall consider and decide the same within a period of ten days thereafter.

8. Till decision from petitioner's representation, it is directed that petitioner shall not be compelled to join the transferred place.

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

Order Date :- 19.10.2023
Mohd. Sharif