

Court No. - 20

Case :- WRIT - A No. - 8487 of 2023

Petitioner :- Anar Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Nagar Vikas Anubhag 3
And Another

Counsel for Petitioner :- Ghaus Beg

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 12.10.2023 whereby petitioner working on post of Assistant Engineer (Jal) has been transferred from Kanpur to Varanasi in public interest.
3. It has been submitted that petitioner has less than two years to superannuate on 31.08.2025 and his case would therefore be covered under paragraph 5 (vi) of Government Order dated 07.06.2023, which is a factor which has not been considered by opposite parties. Learned counsel for petitioner has also adverted to the fact that petitioner's wife has serious medical problems and is undergoing treatment.
4. Learned State Counsel does not have any instructions in the matter.
5. For the said grievance, petitioner seeks liberty to file a fresh representation before the authority concerned with submission that the same may be decided.
6. In view of aforesaid, liberty is granted to petitioner to file a fresh representation before opposite party no.1 i.e. Principal Secretary, Nagar Vikas Anubhag-3 Government of U.P., Lucknow within three days' from today indicating his grievance and benefit in terms of paragraph 5 (vi) of Government Order

dated 07.06.2023. In case such a representation is filed within aforesaid time period, opposite party no.1 i.e. Principal Secretary, Nagar Vikas Anubhag-3 Government of U.P., Lucknow shall consider and decide the same within a period of ten days from the date of receipt of representation.

7. Till final decision is taken on petitioner's representation, he shall not be compelled to join at the transferred place in pursuance of order dated 12.10.2023.

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

Order Date :- 1.11.2023

kvg/-