

Court No. - 20

Case :- WRIT - A No. - 8499 of 2023

Petitioner :- Awadh Narayan Mishra

Respondent :- State Of U.P. Thru. Chief Secy. Lalbahadur Shashtri Bhawan And 3 Others .

Counsel for Petitioner :- Ravi Shankar Mishra

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 29.09.2023 whereby petitioner has been transferred from District Sonbhadra to District Raebareli.

3. It has been submitted that earlier petitioner was posted in the aspirational district of Sonbhadra and in terms of provisions of Government order dated 07.06.2023, options were sought from petitioner for his fresh posting. Five such options were provided by petitioner vide letter dated 17.06.2023, in pursuance of which petitioner was posted in the Karvi Range in District Chitrakoot but the such order was cancelled and petitioner was again transferred to Babhni in District Sonbhadra and by means of impugned order he has again being transferred to District Raebareli which is not in accordance with the options provided by him.

4. It has been submitted that once there is specific provision in the Government order dated 07.06.2023 for petitioner's posting to be in accordance with the options provided by him, it was incumbent upon the opposite parties to have adhered to the same.

5. Considering aforesaid facts and circumstances liberty is granted to file a fresh representation before the opposite party no. 2 i.e. Additional Chief Secretary, Environment, forest & Climate Change Department, 17, Rana Pratap Marg, Aranya Bhawan, Lucknow within a period of three days from today against the impugned transferred order dated 29.09.2023. In case such a representation has filed within the aforesaid time period, the concerned authority shall consider and decide the same keeping in mind the options submitted by petitioner vide letter dated 17.06.2023 within a period of ten days from the

date of receipt of such representation.

6. Till a final decision is taken on petitioner's representation, he shall not be compelled to join at the transferred place in pursuance of order dated 29.09.2023.

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

Order Date :- 1.11.2023

Satish