

Court No. - 20

Case :- WRIT - A No. - 8531 of 2023

Petitioner :- Vimlesh Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Food Safety And Drug Administration, Deptt. Lucknow And 2 Others

Counsel for Petitioner :- Vashu Deo Mishra, S.K. Mishra Nagraha

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 30.06.2023 whereby petitioner has been transferred from Lucknow to Jhansi. Also under challenge is order dated 19.10.2023 whereby petitioner's representation has been rejected vide orders dated 27.09.2023 and 19.10.2023 rejecting petitioner's representation.
3. Earlier transfer order dated 30.06.2023 was challenged by petitioner in Writ A No.5027 of 2023 which was disposed of vide order dated 17.07.2023 directing opposite parties to consider petitioner's representation with regard to grounds taken in petition that petitioner is entitled for couple posting since his wife is posted at Sitapur and is undergoing medical treatment.
4. The said representation has thereafter been rejected by means of impugned order. In pursuance of directions issued by this Court earlier, learned State counsel has produced the original record as per which petitioner's representation has thereafter been rejected by Hon'ble the Chief Minister.
5. In view of aforesaid facts, learned counsel for petitioner submits that earlier in pursuance of directions issued by this Court, petitioner had submitted a representation only against the impugned transfer order but since there is specific provision in the Government Order dated 07.06.2023 regarding couple posting, he may be granted liberty to make a fresh representation before concerned authority for such couple posting in the annual transfer.
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 concerned authority with regard to couple posting in view of Government Order applicable upon him at the time of annual transfer.

7. In view of aforesaid, petition stands **disposed of**.

Order Date :- 23.11.2023

Subodh/-