

Court No. - 20

Case :- WRIT - A No. - 8557 of 2023

Petitioner :- Vinod Kumar Pandey

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

Counsel for Petitioner :- Ravi Shankar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Petition has been filed challenging order dated 29th September, 2023 whereby petitioner working on the post of Regional Forest Officer has been transferred from Bareilly to District Bahraich.

2. It has been submitted that petitioner has barely about 15 months to superannuate and therefore would be covered by paragraph 5 of the government order dated 7th June, 2023 whereby options are required to be taken from him prior to his posting since petitioner belongs to Group-II post.

3. Learned State Counsel however submits that in case petitioner is seeking implementation of paragraph 5 of the government order, it is only State Government who is competent authority to pass appropriate orders.

4. Considering the aforesaid facts and circumstances, particularly the fact that petitioner has less than two years to superannuate, his case would be covered by paragraph 5 of the government order dated 7th June, 2023. Therefore liberty is granted to petitioner to file a representation before opposite party No.2 i.e. Additional Chief Secretary, Environment, Forest & Climate Change Department, Lucknow, U.P. within a period of four days from today. In case such a representation along with copy of this order is filed, same shall be decided within a period of 10 days keeping in mind the conditions indicated in paragraph 5 of the government order dated 7th June, 2023. Till decision on petitioner's representation is taken, he shall not be compelled to join at the place of posting.

5. With the aforesaid observations, the writ petition stands disposed of.

Order Date :- 3.11.2023

kvg/-