

Court No. - 20

Case :- WRIT - A No. - 8773 of 2023

Petitioner :- Mohd. Irfan Ansari

Respondent :- State Of U.P. Thru. Chief Secy. Lalbahadur Shashtri
Bhawan Lko And 4 Others

Counsel for Petitioner :- Aditya Kumar Pandey, Gaurav
Vishwakarma, Rinku Kumar Verma

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.

Petition has been filed challenging order dated 29th September, 2023 whereby petitioner has been transferred from District Bijnor to District Kanpur.

It has been submitted that impugned order has been passed in violation of paragraph 5 of the government order dated 7th June, 2023 inasmuch as the authority has not considered the aspect that there are handicapped dependants of petitioner and therefore he was required to be exempted from annual transfers. It is also submitted that petitioner is due to superannuate within one and half years on 30th April, 2025 and therefore also the opposite parties were required to take into account the conditions indicated in paragraph 5(vi) of the aforesaid government order which has not been done.

For the aforesaid grievance, the petitioner has already submitted a representation dated 30th September, 2023 with a reminder on 20th October, 2023 but the same are still pending consideration. At present learned counsel for the petitioner restricts his prayer for a final decision with regard to same.

Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case petitioner is granted liberty to submit a copy of this order within a period of three days from today to the opposite party No.4 i.e. Divisional Forest Officer, Bijnor Forest Division, Najibabad, District Najibabad who shall consider and decide the same within a period of 10 days from the date of receipt of such order taking into consideration indicated in government order dated 7th June, 2023 as indicated herein above.

It is directed that till decision on petitioner's representation, he shall not be compelled to join at the transferred place.

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

Order Date :- 8.11.2023
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