

Court No. - 8

Case :- WRIT - A No. - 9377 of 2023

Petitioner :- Bhagat Ram Yadav

Respondent :- State Of U.P. Thru. Secy. Deptt. Nagar Vikas Lko. And 3 Others

Counsel for Petitioner :- Sachin Srivastava

Counsel for Respondent :- C.S.C., Harish Chandra Yadav

Hon'ble Pankaj Bhatia, J.

1. The present petition has been filed by the petitioner challenging the order of transfer/attachment dated 07.11.2023 whereby the petitioner has been transferred from Nagar Panchayat Ekauna to Nagar Palika Parisad, Bhinga. The petitioner is also aggrieved with the order dated 28.11.2023 whereby he has been asked to handover the charge.

2. The contention of the counsel for the petitioner is that the petitioner is due to retire on 31.03.2014 and the attachment order has been passed just at the fag end of the career.

3. On the face of it, the transfer/attachment order is on administrative grounds, however, considering the fact that the petitioner is due to retire on 31.03.2024, the present petition is disposed off permitting the petitioner to file a fresh representation against his transfer/attachment before the respondent no.3 within one week from today. In case such an application is filed within one week, the respondent no.3 shall consider the case of the petitioner by passing an appropriate order within a period of two months thereafter.

4. Till the decision on the representation, as directed herein above, the order dated 07.11.2023 and 28.11.2023 shall not be given effect to. In case the representation is not filed within one week, this order shall automatically come to an end.

5. The writ petition stands ***disposed off*** with the said observations.

Order Date :- 11.12.2023

VNP/-