

Court No. - 20

Case :- WRIT - A No. - 9669 of 2023

Petitioner :- Girija Pandey

Respondent :- State Of U.P. Thru. Prin. Secy. Rural Development Deptt.
Lko. And Another

Counsel for Petitioner :- Rajat Sharma, Ashish Kumar Shukla

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 7th December, 2023 whereby petitioner's representation seeking transfer in accordance with paragraph 5 (vi) of the government order dated 7th June, 2023 has been rejected only on the ground that although direction has been issued to the Commissioner, Rural Development Department, Lucknow to consider and decide the representation but the same is required to be decided by the State Government.

It appears that petitioner's representation has not been decided on its merit and has in fact been disposed of only on the ground that Commissioner is not the competent authority.

Learned counsel for petitioner submits that since petitioner has less than two years to superannuate, she is required to be granted benefit of paragraph 5 of the government order dated 7th June, 2023. It is also submitted that recommendation with regard to same has already been made by the Commissioner vide letter dated 26th April, 2023.

For the aforesaid grievance, the petitioner has already submitted a representation but seeks liberty to file a fresh representation before the authority concerned.

Considering innocuous prayer being made by learned counsel for the petitioner and without entering into the merits of the case petitioner is granted liberty to file a fresh representation before opposite party No. 1 i.e. Principal Secretary, Rural Development, Govt. of U.P., Lucknow. In case such a representation is filed, the same shall be decided in the light of recommendations made by Commissioner, Lucknow within with period of six weeks from the date a copy of this order is produced before the said authority.

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

Order Date :- 18.12.2023

prabhat