

Court No. - 20

Case :- WRIT - A No. - 9817 of 2023

Petitioner :- Pno. No. 60502865 Shyam Sundar And 5 Others

Respondent :- State Of U.P. Thru. Its Addl. Chief Secy. Deptt. Of Home The Govt. Of U.P. Lucknow And 4 Others

Counsel for Petitioner :- Santosh Kr. Yadav Warsi, Gayatri Abhyasi, Manjusha, Neelam, Toshendra Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

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

Petition has been filed seeking a direction to opposite parties to relieve petitioners in pursuance of transfer orders dated 14.06.2023. 16.06.2023 & 04.07.2023, semi government order dated 23.12.2022 and circular dated 10.07.2023, 02.08.2023 and 03.11.2023.

It has been submitted that petitioner no.1 (Shyam Sundar) was transferred from 43rd Bn. PAC, Etah to Kasganj, petitioner no.2 (Saurabh Kumar) was transferred from 43rd Bn. PAC, Etah to Hathras, petitioner no.3 (Balram Singh) was transferred from 43rd Bn. PAC, Etah to Kanpur Dehat, petitioner no.4 (Udayveer Singh) was transferred from 23rd Bn. PAC, Moradabad to U.P. 112 Hathras, Petitioner No. 5 (Surendra Singh) was transferred from 23rd Bn. PAC Moradabad to U.P. 112 Hathras and Petitioner No. 6 (Praveen Kumar) was transferred to 43rd Bn. PAC Etah to Kasganj on the basis of compassionate ground and public interest.

It is submitted that despite aforesaid transfer orders having been issued, relieving orders pertaining to petitioners have not been issued till date despite directions for same dated 10.07.2023 (Annexure No.2).

Learned State Counsel on the basis of instructions has submitted that transfer orders dated 14.06.2023. 16.06.2023 & 04.07.2023 are still subsisting and have not been recalled, withdrawn or modified till date and relieving orders are being issued on the basis of seniority.

Considering the fact that the transfer orders dated 14.06.2023. 16.06.2023 & 04.07.2023 have been passed pertaining to

petitioners on compassionate ground and in public interest and are yet subsisting, opposite parties are directed to ensure relieving of petitioners in pursuance of the said transfer orders within a period of one week from the date a certified copy of this order is produced before concerned authority.

In view of aforesaid, petition succeeds and is **allowed**. Parties to bear their own costs.

Order Date :- 20.12.2023

Satish