

Court No. - 20

Case :- WRIT - A No. - 9776 of 2023

Petitioner :- Dr. Pallavi Mahendra

Respondent :- State Of U.P. Thru. Addl. Chief Secy./Prin. Secy. Medical Health And Family Welfare And 3 Others

Counsel for Petitioner :- Neeraj Kumar Rai, Shachindra Pratap Singh

Counsel for Respondent :- C.S.C., Puneet Chandra

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner, learned State Counsel appearing on behalf of opposite parties no.1, 3 and 4 and Mr. Mohit Chandra learned counsel holding brief on behalf of Mr. Puneet Chandra, learned counsel for opposite party no.2.

2. Petition has been filed seeking challenge to order dated 23.12.2021 whereby petitioner has been transferred on contractual basis from Community Centre- Fardhan to the Community Centre-Behjam in Lakhimpur Kheri.

3. It has been submitted that petitioner being a contractual employee, her service contract stipulated that she cannot be transferred in the manner in which it has been done by means of impugned order.

4. However, learned counsel for opposite parties submits that the impugned order has been passed two years back and has already been complied with by petitioner and therefore she has acquiesced to the order.

5. For the aforesaid grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation. At present learned counsel for petitioner restricts his prayer for a final decision with regard to same.

6. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case petitioner is granted liberty to file a fresh representation before opposite party No.4 i.e. Chief Medical Officer, Lakhimpur Kheri. In case such a representation is filed, the same shall be considered and decided by a reasoned and speaking order within a period of six weeks from the date a certified copy of this order is produced before the said authority.

7. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 20.12.2023

Subodh/-