



HON'BLE THE ACTING CHIEF JUSTICE MR. MANOJ KUMAR TIWARI
AND
HON'BLE MR. JUSTICE VIVEK BHARTI SHARMA

4TH DECEMBER, 2024

Versus

State of Uttarakhand and others Respondents

Counsel for the petitioner	:	Mr. Hari Mohan Bhatia, learned counsel
Counsel for the respondents	:	Mr. P.C. Bisht, learned Additional Chief Standing Counsel for the State

The Court made the following:

JUDGMENT: (per Hon'ble The Acting Chief Justice Mr. Manoj Kumar Tiwari)

Petitioner is serving as District Audit Officer in the department of Finance of Government of Uttarakhand. According to the petitioner, he was appointed in the year 1998 in erstwhile State of Uttar Pradesh, and upon State re-organization, his services were allotted to State of Uttarakhand under Section 73 of the U.P. Re-organization



Act, 2000. According to him, he is entitled to the benefit of services which he rendered in Durgam places before his final allotment to State of Uttarakhand for considering his case for transfer to a Sugam place. However, the said benefit is not being given to him.

2) By means of this writ petition, petitioner has sought the following reliefs :

“(i) To issue a writ, order or direction in the nature of certiorari to quash the Eligibility List prepared by Respondents (Annexure No. 3) or in alternative issue a writ, order or direction to the respondents to correct the service of petitioner in Sugam Area in the Eligibility List (Annexure No. 3) in view of Government Order dated 17.07.2018 (Annexure No. 2).

(ii) To issue a writ, order or direction in nature of mandamus directing respondent No. 2 and 3 to modify the Transfer Order of the petitioner in view of Length of Service served by the Petitioner in the Sugam Area in view of Government Order dated 17.07.2018 and transfer the officers who served more than the petitioner in Sugam Area.”

3) After arguing for a while, Mr. Bhatia, learned counsel appearing for the petitioner, confines his prayer and submits that the writ petition be disposed of by



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directing the competent authority to take decision on petitioner’s representation dated 01.08.2024.

4) In such view of the matter, the writ petition stands disposed of by directing respondent No. 2 to take decision on petitioner’s representation dated 01.08.2024, one way or the other, within four months from the date of production of certified copy of this Order.

MANOJ KUMAR TIWARI , A.C.J.

VIVEK BHARTI SHARMA, J.

Dt: 4TH DECEMBER, 2024
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