

Court No. - 4

Case :- WRIT - A No. - 4674 of 2024

Petitioner :- Pradeep Kumar

Respondent :- Addl. General Manager, Indian Overseas Bank
Pad Deptt. Lko. And 2 Others

Counsel for Petitioner :- Ashish Tripathi, Nan Moon Tiwari

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Heard Sri Ashish Tripathi, learned counsel for the petitioner and Sri Vinay Shanker, learned counsel appearing for respondent-Bank.

2. The present writ petition has been filed seeking a writ, order or direction to quash the transfer order dated 05.04.2024 passed by the opposite party no.2 i.e. Chief Manager, Human Resource Management Department, Lucknow by means of which the petitioner was required to be relieved from Lucknow to R.O. Meerut.

3. It has been brought to the notice of this Court that subsequently vide relieving order dated 24.05.2024, the petitioner was relieved in absentia on 24.05.2024 to join at Nazibabad Branch (3686) as Manager, 2nd Line.

3. The contention of the learned counsel for the petitioner is that he is suffering from hypertension and high blood pressure due to mental stress of certain court cases and is under medical treatment at Lucknow. He submits that the doctors have advised him to take care of his health and to avoid any kind of undue pressure causing mental and physical stress. He further submits that he is the only member to look after his family and leaving Lucknow will cause undue hardship to him. The next submission as raised by learned counsel for the petitioner is that the petitioner's daughter is having education at Lucknow and is to appear for C.B.S.E.10th Standard examination this year and in case he is made to move from Lucknow, the education of his daughter may be adversely affected.

4. From the perusal of the record, it transpires that the petitioner has preferred a representation addressed to Chief Manager, Human Resource Management Department, at Chennai, as contained in annexure no.5 to the writ petition.

5. Learned counsel appearing on behalf of respondent-Bank has vehemently opposed the writ petition on the ground that the

order of transfer having been passed on the administrative ground, as the petitioner is staying here for the last eight years and further there is nothing on record to show that the order is punitive in nature.

6. Taking into consideration the factual matrix of the case, this Court is of the view that no useful purpose would be served to keep this writ petition pending. Accordingly, the writ petition is finally **disposed of** with a direction to the Chief Manager, Human Resource Management Department / respondent no. 2 to take decision on the petitioner's representation by passing a detailed and reasoned order and to consider the specific grounds and the request made therein.

7. It is made clear that this Court has not stayed the transfer order and it is provided that in case the petitioner reports its joining at the transferred place, his representation shall be considered and decided by the authority concerned within a period of three weeks from the date production of a detailed representation along with certified copy of this order before it.

Order Date :- 5.6.2024

Abhishek Gupta