

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT APPEAL NO.1156 OF 2018

JUDGMENT: (per SK,J)

This writ appeal was preferred by the Society for Elimination of Rural Poverty, Vijayawada, the first respondent in W.P.No.20180 of 2017, aggrieved by the order dated 19.07.2018 passed by a learned Judge of this Court making the interim order passed therein absolute. The first respondent herein, the petitioner in W.P.No.20180 of 2017, is holding the post of Assistant Project Manager (Dairy) in the District Project Management Unit of the District Rural Development Agency, Chittoor District. By order dated 25.04.2017, the Chief Executive Officer of the appellant society sought to transfer him from Chittoor District to Krishna District. This was the subject matter of challenge in the writ petition. By interim order dated 22.06.2017, a learned Judge of this Court observed that as the writ petitioner was working in a zonal post, he could not be transferred to a different zone without assigning valid reasons and accordingly suspended the transfer order. W.V.M.P.No.3040 of 2017 was filed by the appellant society to vacate the said order. Thereupon, the learned Judge who heard the vacate stay petition passed the order under appeal.

Perusal of the counter filed by the appellant society clearly demonstrates that the post held by the first respondent-writ petitioner is a zonal post. The transfer order proceeds as if it is a routine administrative transfer. However, the counter affidavit filed by the appellant society before the learned Judge revealed that it was not so and was more on the lines of a punitive transfer. Taking into account these aspects, the learned

Judge made the interim order absolute. We find no error having been committed by the learned Judge in doing so.

The appeal is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

M.GANGA RAO,J

Date:30.08.2018

PGS/GJ

