IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 15646 of 2020

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BEBIBEN D/O KHIMABHAI MAKVANA W/O PRATAPBHAI RATHOD

Versus

STATE OF GUJARAT

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Appearance:
MR BHAVIK R SAMANI(8339) for the Petitioner(s) No. 1
for the Respondent(s) No. 2,3,4
ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP(99) for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE S.H.VORA**

Date : 16/12/2020

ORAL ORDER

1. Leave to amend. By way of present petition under Article 226 of the Constitution of India, the petitioner has made following prayer in terms of para 9(B) :-

> *"9(B) Your Lordships may be pleased to issue an appropriate writ, order or direction that to declare the transfer order dated 26.02.2019 of the petitioner who was transferred as surplus, as illegal and against the provisions of law and in the interest of justice."*

2. By way of present petition, the petitioner is challenging the transfer order dated 26.02.2019. Qua transfer order, the petitioner had made representation as per communication dated 07.06.2019 and 19.09.2019 annexed at Annexure E to the petition collectively and same are pending as of now, as stated at bar.

3. In view of above position, it is desirable and proper on the part of the competent authority to take decision on the petitioner’s communication which is pending since long. In view of above, without going into merits of the petition at this stage, the competent authority shall take decision on the petitioner’s communication as expeditiously as possible but not later than two months from the date of receipt of present order of this Court.

4. With above observation and direction, present petition stands disposed of. It is clarified that this Court has not examined merits of the matter at this juncture. Direct service is permitted.

(S.H.VORA, J)

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