

**Civil Misc. Writ Petition no.206 of 2000**

Naveen Bhartiya ..... Petitioner  
Versus  
State of Uttranchal through  
Secretary, Social welfare, Dehradun  
and others ..... Respondents

Hon'ble P.C.Verma,J.

Hon'ble M.C.Jain,J.

The petitioner was transferred from District Udham Singh Nagar to Munsiri, Distt. Pithoragarh in May on 4.5.2000. The petitioner and filed a writ petition before the Allahabad High Court, which was numbered as writ petition no.25718 of 2000. The High Court at Allahabad on 25.5.2000 stayed the operation of the impugned transfer order dated 4.5.2000 till 31.7.2000. The writ petition was pending. The application was moved for extension of the interim order dated 25.5.2000. The application came for orders before the Court on 8.11.2000 and the Court passed the following order:

"The interim order expired on 31.7.2000, though the application was filed before expiry of the period, the order could not be extended. However, since sufficient time has already been elapsed after expiration of the period of stay it is provided that interim order shall hereafter stand extended provided it has not already been given effect to.

The application given by the petitioner for opting U.P.Cadre shall be disposed of expeditiously.

8.11.2000

Sd-S.R.Singh

Sd-D.R.Chaudhary"

From the perusal of the annexure no.11 and 12, it is evident that the petitioner was relieved after 31st July, 2000. Therefore, the benefit of the order dated 8.11.2000 is not available to the petitioner as the order dated 8.11.2000 is conditional the transfer order having not already been given effect to. Since the transfer order was given effect to, the petition is dismissed. No order as to costs.

A.Joshi

(P.C.Verma,J.) (M.C.Jain,J.)

15.12.2000