

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/S) No. 961 of 2011

Ramesh Lal S/O Late Sri Ganga Ram, Junior Assistant in the office
of Veterinary Officer, Pauri Garhwal, District Pauri Garhwal.

... Petitioner.

Versus

1. State of Uttarakhand, through Secretary, Veterinary
Department, Govt. of Uttarakhand, Dehradun.
2. Chief Veterinary Officer, Pauri Garhwal, District Pauri
Garhwal.

... Respondents.

Mr. B.S.Parihar, Advocate, learned counsel for the petitioner.
Mr. Anil Bisht, Brief Holder, learned counsel for the respondents-State.

Date July 29, 2011.

Hon'ble B.S.Verma, J.

(Stay Application No. 7755 of 2011)

Heard learned counsel for the parties.

By means of this writ petition, the petitioner has
sought the following relief:-

a) Issue a writ, order or direction in the nature of
certiorari quashing the order dated 15-7-2011 passed by the
respondent no.2 (Annexure No. 1 to the writ petition).

b) Issue a writ, order or direction in the nature of
mandamus directing the respondents not to interfere in the peaceful
working of the petitioner.

c) Issue any other order or direction, which this
Hon'ble High Court may deem fit and proper in the facts and
circumstances of the case.

d) Award costs of the petition to the petitioner.

A perusal of the impugned order dated 15-7-2011
reveals that the respondent no. 2 has made distribution of work
between the Senior Assistant and Junior Assistant in the interest of
smooth working of his office. The petitioner claims himself Junior
Assistant under the respondent no.2. The petitioner has annexed
his representation dated 16-7-2011 as Annexure No. 3, wherein the
petitioner himself has stated that the work of pay bill and Travelling

Allowance Bill was given to the petitioner after withdrawing it from another official on 12-11-2010. It also appears that by the present distribution of work that work is being given to another clerk of his office. It does not stand to reason as to how an employee would be prejudiced only by way of distribution of work. The petitioner himself has stated that during the last 25 years of his service, he found that work of pay bill and T.A. bill is being carried out by a general category employees and the same work is being given to the senior assistant by the impugned order. The petitioner has not disclosed as to which particular work/duty can be assigned to a Junior Assistant under his service conditions.

It is well within the domain of the head of any office to see that office work is smoothly run and for that purpose distribution of work has to be rescheduled amongst the officials. In this view of the matter, there is nothing wrong in passing the impugned order assigning any particular work to the subordinate officials employed under any Officer, unless the same is against the departmental rules. I do not find any error in the order impugned and the same cannot be said to have been passed in violation of principle of natural justice.

The writ petition being devoid of merit is liable to be dismissed outright at the threshold.

The writ petition is dismissed in limine.

All pending applications stand disposed of.

(B.S.Verma, J.)