

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 1336 (SS) of 2011

Tameshwar Prasad Pandey

...Petitioner

Versus

State of Uttarakhand and others

...Respondents

Mr. Tapan Singh, learned counsel present for the petitioner.

Mr. H.M. Raturi, learned standing counsel present for the State of Uttarakhand.

Hon'ble Sudhanshu Dhulia, J. (Oral)

Heard Mr. Tapan Singh, learned counsel for the petitioner and Mr. H.M. Raturi, learned standing counsel for the State of Uttarakhand.

The petitioner was working as Chief Assistant in Irrigation Construction Mandal, Dehradun. He has been transferred from Irrigation Construction Mandal Dehradun to Lakhwad Vyasi Construction Mandal-I, Dehradun by order-dated 30.06.2011.

This Court is not inclined to interfere in the transfer order dated 30.06.2011 as the only ground for challenging the transfer order is that the transfer order does not disclose whether the petitioner has not been transferred in public interest or on administrative ground. In fact order does not assign any reason. The transfer is an exigency of service and there are very limited grounds to challenge the same, which is when the transfer order is in violation of the statutory rules or it is without jurisdiction or which suffers from mala fide. In fact none of the grounds have been taken. Transfer order has been challenged only on the ground as stated above. As such, this Court is not inclined to interfere in the matter.

The writ petition fails and is liable to be dismissed and the same is hereby dismissed.

No order as to costs.

(Sudhanshu Dhulia, J.)

Dated: 30.09.2011

VKG