

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
Writ Petition No. 324 of 2012 (S/B)

Pradeep Kumar Bishnoi

.....Petitioner.

Versus

State of Uttarakhand and another.

.....Respondents

Mr. Arvind Vashisth, Advocate for the petitioner.

Mr. N.S. Pundir, Brief Holder for the State of Uttarakhand / respondents.

Coram : **Hon'ble Barin Ghosh, C. J.**
 Hon'ble U.C. Dhyani, J.

Barin Ghosh, C.J. (Oral)

An important work at Beerokhal was the public interest behind the transfer of the petitioner within two years from his last posting. At Beerokhal, Sri Nathu Singh was already working in the same post. Despite he having not served at Beerokhal for a period in excess of five years, Sri Nathu Singh was transferred creating a vacancy in order to transfer the petitioner to Beerokhal.

2. Under the transfer policy, a person can be retained at a place for a period upto five years, so the public interest, as highlighted, is of no substance. The transfer order, which has been passed in public interest within a period of two years from the last posting of the petitioner, is set aside. The writ petition is allowed to that extent.

(U.C. Dhyani, J.)
31.12.2012

Rathour

(Barin Ghosh, C.J.)
31.12.2012