

**Hon'ble Servesh Kumar Gupta, J.**

Mr. Vivek Shukla, Advocate for the petitioner.

Mr. K.P. Upadhyaya, C.S.C. for the State/respondent nos.1 & 2.

Having heard learned counsel for the petitioner, it appears that Sri Shyam Singh Chauhan, another Assistant Engineer, was transferred from Tubewell Division (Sub-Division no.2), Roorkee to Government Workshop, Roorkee vide order dated 12.12.2013, and by the same order, petitioner Sri Krishan Aggarwal was transferred from Tubewell Division (Sub-Division No.3) to Tubewell Division (Sub-Division No.2).

Petitioner did not leave his charge from Sub-Division no.3 because Sri Shyam Singh Chauhan, who was occupying the seat in Sub-Division No.2, did not leave the charge, so the seat could not remain vacant. Then further, the petitioner was transferred from Sub-Division No.3 to Government Workshop, Roorkee. But, no sooner did he was transferred, vide the impugned order dated 28-01-2014, he has come up before this Court, through this petition, seeking to quash the said order.

In the petition, petitioner has not made Sri Shyam Singh Chauhan the party even. Rather, one Mr. Jabar Singh Negi, who has been shown as Assistant Engineer, Tubewell Division, Roorkee, has been impleaded as private respondent no.3, but there is not a single whisper about his name, either in the pleadings or in the affidavit, or in any other document annexed with the petition. That apart, the Court feels that the petitioner has not been transferred in violation of any Government Order, but only, his seat of working has been changed in the same city.

In the above circumstances, the Court feels that this petition is bereft of any merit which is liable to be dismissed at the threshold. Petition is, dismissed, accordingly.

Urgency application no.537/2014 is disposed of while the stay application no.633/2014 stands rejected.

**(Servesh Kumar Gupta, J.)**

**31-01-2014**

Vacation Judge