

**30.06.2015**

Shri K. C. Ghildiyal learned counsel for the petitioner.

Heard on the question of admission.

The petitioner has filed this petition being aggrieved by orders dated 9.6.2015 by which he has been transferred from the post of Additional Director in Tribal Area Development Planning to the office of Commissioner, Scheduled Caste Development Department.

The learned counsel for the petitioner submits that the respondent no.1 has no authority either to transfer the petitioner from his department or from an another department to his department. It is submitted that the petitioner has filed a representation dated 22.06.2015 (Annexure P-7) which has not been decided till date.

In view of the aforesaid, the petition filed by the petitioner is disposed of with a direction to the effect that in case the petitioner approaches the respondent authorities within fifteen week from today alongwith a copy of the order passed today and a copy of the petition, the concerned authority shall consider and decide the representation filed by the petitioner expeditiously in accordance with

law, preferably within a period of six weeks thereafter.

In the meanwhile, in view of the letter dated 25.06.2015 issued by the Commissioner, Scheduled Caste Development Department prohibiting and preventing the petitioner from joining his transferred place of posting, it is directed that the operation of the impugned order dated 9.6.2015, as far as it relates to the petitioner, shall remain stayed and the petitioner shall be permitted to remain at his present place of posting till decision on his representation.

It is made clear that this court has not expressed any opinion on the merits of the case and therefore the authority would be at liberty to examine the matter keeping all facts and facets into consideration and thereafter either accept or reject the representation by passing a reasoned order.

With the aforesaid direction, the petition, filed by the petitioner, stands disposed of.

C.C as per rules.

( R. S. JHA )  
J U D G E

mms/-