

WP-1384-2017

(SHREEDHAR UIKEY Vs THE STATE OF MADHYA PRADESH)

31-01-2017

Mr. A.K. Gupta, learned counsel for the petitioner.

Ms. Sonali Shrivastava, learned P.L. for the respondent/State.

Heard.

Petitioner is aggrieved by order dated 02.11.2016, whereby he is transferred from Seoni to Balaghat. It is challenged on the ground that transfer order is passed during Ban period, petitioner is getting treatment from Nagpur and petitioner is due for his retirement in the year 2018.

Prayer is opposed by Ms. Shrivastava, learned P.L.

During the course of arguments, learned counsel for the petitioner fairly submits that petitioner has completed his normal tenure at Seoni.

So far the grounds raised by the petitioner are concerned, the same are related with violation of policy or personal inconvenience. This is trite law that transfer order can be interfered with if it runs contrary to any statutory provision (not policy guidelines), proved to be malafide, issued by incompetent authority or changes in service condition of an employee. No such ingredients is available in the present petition, I find no reason to interfere in the present matter. However, liberty is reserved to the petitioner to prefer representation against the transfer order before the competent appellate authority. If such representation is preferred the said authority shall consider and decide it in accordance with law expeditiously preferably within 30 days . The outcome shall be communicated to the petitioner.

With the aforesaid observation and liberty petition is *disposed of*.

(SUJOY PAUL)

JUDGE

s@if