

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSS No.998 of 2023</p> <p><u>Hon'ble Pankaj Purohit, J.</u></p> <p>Heard Mr. S.K. Mandal, learned counsel for the petitioner and Ms. Menka Tripathi, learned Deputy Advocate General along with Mr. Atul Bahuguna, learned Standing Counsel and Mr. V.S. Rawat, learned Brief Holders for the State.</p> <p>2. The petitioner, aggrieved by the transfer order dated 26.06.2023, passed by respondent no.3, whereby she was transferred from Government High Secondary School, Ramnagar, Roorkee, Haridwar to Government Inter College, Kapriyanisain, Jakhnidhar, Tehri. Petitioner is an Assistant Teacher, L.T. Grade (English).</p> <p>3. The ground to challenge the impugned transfer order by the petitioner is that the petitioner and her husband are posted at a distance of 10 Km. from each other, which is conducive to maintain their family life and affairs.</p> <p>4. It is contended by learned counsel for the petitioner that petitioner has already spent 08 years 09 months and 09 days in accessible area, therefore, she is exempted for her transfer under the Uttarakhand Annual Transfer For Public Servant Act, 2017 (for short "the Act").</p>

			<p>5. Learned counsel for the petitioner draw the attention of this Court on Section 13 (3) of the Act and contended that since she has only completed 08 years 09 months and 09 days in the present place of posting, her case is covered under the provisions of the aforesaid Act.</p> <p>6. I have gone through the provisions of the Act with the help of the learned counsel for the parties and came to this conclusion that the provision says otherwise and a rider is also there, if she fulfills norms of five/three years service in a particular place, she would be eligible for general transfer. Therefore, this argument of the learned counsel for the petitioner would be of no help to her.</p> <p>7. In this view of the matter, the writ petition lacks merit and deserves to be dismissed at the outset.</p> <p>8. Accordingly, the writ petition is dismissed.</p> <p style="text-align: right;">(Pankaj Purohit, J.) 30.06.2023</p> <p>AK</p>
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