

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSB 106/ 2024  <u>Hon'ble Manoj Kumar Tiwari, J.</u>  <u>Hon'ble Pankaj Purohit, J.</u></p> <p>Mr. Aman Rab, Advocate, for the petitioner.</p> <p>Mr. S.S. Chaudhary, Brief Holder, for the State.</p> <p>Mr. Ankur Sharma, Advocate, for the respondent no. 3.</p> <p>(2) Petitioner is aggrieved by his transfer made vide order dated 15.3.2024. Vide said order, petitioner has been transferred from Minor Irrigation, Sub Division, Dehradun, District Dehradun to Minor Irrigation, Sub Division Roorkee, District Hardiwar.</p> <p>(3) It is contended by learned Counsel for the petitioner that petitioner has not completed normal duration of posting at Dehradun, therefore his transfer to Roorkee at this stage is unsustainable. It is further contended that approval of authority one rank higher to petitioner was not obtained while transferring the petitioner midsession.</p> <p>(4) Per contra, learned State Counsel submits that petitioner is serving continuously at Dehradun ever since 26.7.2017 and he would be completing seven years in the month of June, 2024 at Dehradun. He further contends that</p>

		<p>petitioner has been transferred in view of the directives issued by the Election Commission of India, according to which a Class I or Class II officer of a State, who has served for more than a particular duration in a particular District, has to be transferred outside the District. He further submits that petitioner has been transferred by the Secretary, who is Head of the Department, that too in view of the directives issued by the Election Commission of India, therefore the contention that proviso contained in the Transfer Act were violated, does not hold any substance.</p> <p>(5) This Court finds substance in the submissions made by learned State Counsel. Since petitioner has served for continuous period of more than six years at Dehradun and his transfer has been made pursuant to directives issued by the Election Commission of India to ensure free and fair general elections, therefore, we are not inclined to interfere in the matter.</p> <p>(6) Accordingly, writ petition fails and is dismissed. No order as to costs.</p> <p>(Pankaj Purohit, J.) (Manoj Kumar Tiwari, J.)</p> <p>22.3.2024 Pr</p>
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