

(2008) 12 AHC CK 0348
In the Allahabad High Court

Baby Tarannum

APPELLANT

Vs

Secretary, Basic Shiksha Parishad, U.P., Allahabad and Ors

RESPONDENT

Date of Decision : 08-12-2008

Acts Referred:

Citation : (2008) 12 AHC CK 0348

Hon'ble Judges : Bala Krishna Narayana, J

Final Decision : Disposed Of

Judgement

Heard learned counsel for the petitioner, Sri J.P. Maurya, learned counsel for the opposite party no.1, learned Standing Counsel for the opposite party no.2 and Sri Vishal Verma, learned counsel appearing for the opposite party no.3.

With the consent of the parties counsel, the writ petition is being decided finally without calling for any counter affidavit.

The case of the petitioner is that she filed an application on 21.04.2006 before the opposite party no.3 for her transfer from district Gonda to district Balrampur. After the opposite parties no.3 and 4 had submitted their respective no objection certificates in the matter, the opposite party no.2, on the basis of their no objection certificates recommended the case of the petitioner's transfer from district Gonda to district Balrampur to the opposite party no.1 for his approval by his letter dated 03.03.2008, copy whereof has been filed as Annexure2 to the writ petition.

The grievance of the petitioner is that despite expiry of almost two years the opposite party no.1 has not taken any decision in the matter. A prayer has been made that the opposite party no.1 be directed to pass an appropriate order on the recommendation made by the opposite party no.2 to the opposite party no.1 vide letter dated 03.03.2008.

Learned counsel appearing for the opposite parties has however submitted that there is no such recommendation although no counter affidavit has been filed by the opposite parties refuting the averments made by the petitioner in this regard

in the writ petition.

In view of the aforesaid, I am of the opinion that necessary directions be issued to the opposite party no.1 for taking appropriate decision in the matter.

Accordingly, the writ petition is disposed of finally with a direction to the opposite party no.1 to pass appropriate order on the recommendation dated 03.03.2008 forwarded to him by the opposite party no.2 for transferring the petitioner from district Gonda to district Balrampur within a period of one month from the date of production of certified copy of this order.