
(2011) 12 AHC CK 0172
In the Allahabad High Court
Case No : Writ - A No. - 71466 of 2011

Munni Lal	Vs	APPELLANT
State of U.P. and Others		RESPONDENT

Date of Decision : 12-12-2011

Acts Referred:

Citation : (2011) 12 AHC CK 0172

Hon'ble Judges : V.K. Shukla, J

Bench : Single Bench

Judgement

Hon''ble V.K. Shukla, J.—In the present case petitioner holds transferable post and after having stayed at district Ghazipur for more then eight years, now petitioner has been transferred by Superintendent of Police after requisite order has been passed by the Inspector General of Police Varanasi Region Varanasi and after due concurrence has been taken by Police Establishment Board to district Chandauli.

2. Petitioner holds transferable post; authority who has passed the order has got full competence to pass said order of transfer and in the present case there is no violation of any rule and regulation, as such no interference is being made in view dictum of Hon''ble Apex Court in the cases of Mrs. Shilpi Bose and others Vs. State of Bihar and others reported in 1995 (71) FLR 1011 (SC) ; State of U.P. and Others Vs. Gobardhan Lal, Union of India and others Vs. Janardhan Debanath and another reported in Union of India (UOI) and Others Vs. Sri Janardhan Debanath and Another, and S.C. Saxena Vs. Union of India and others reported in 2006 (9) SCC 583.

3. At last petitioner is trying to contend before this Court that his daughters have to undertake Board Examination.

4. Transfer and posting are within domain of the authority concerned and it is for the authority to see as to where an incumbent is to be posted and as to where his/her services are to be best utilized. However as petitioner is member of

disciplined force, as such as per the judgment of Apex Court in the case of S.C. Saxena Vs. Union of India and others (supra), in case petitioner joins at the transferred place and represent his claim before the Authority concerned, then in that event grievance of the petitioner be dealt with in accordance with law preferably within next eight weeks from the date of receipt of representation of the petitioner along with certified copy of the order passed by this Court. With the above direction present writ petition is disposed of.