
(2011) 05 UK CK 0109

In the Uttarakhand High Court

Case No : Writ Petition No. 414 of 2011 (S/S)

Prem Singh Gagan

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 10-05-2011

Acts Referred:

Citation : (2011) 05 UK CK 0109

Hon'ble Judges : Sudhanshu Dhulia, J

Bench : Single Bench

Judgement

Sudhanshu Dhulia, J.—Heard Mr. Raman Kumar Sah, Advocate for the Petitioner, Mr. N.P. Sah, Standing Counsel for the State of Uttarakhand as well as Ms. Seema Sah, Advocate for Respondent No. 2.

2. The Petitioner is an employee of District Cooperative Bank Ltd. Pauri Garhwal. He has been transferred from District Cooperative Bank, Thalisen to another i.e. District Cooperative Bank, Nainidada District Pauri Garhwal. It is this order-dated 18.4.2011, passed by Secretary/General Manager District Cooperative Bank Ltd. (Respondent No. 2), which has been challenged.

3. It is a settled principle of law that transfer orders can be normally interfered only on two grounds A) where there is a statutory violation or transfer order passed being without jurisdiction and B) if the transfer order has been passed due to malafide. None of these two grounds exists in the transfer order. There is, therefore, no occasion to interfere with the transfer order. The writ petition is liable to be dismissed and the same is hereby dismissed.

4. However, it is alleged in the writ petition that the Petitioner is not well and a representation to this effect is pending before the concerned authority. The Petitioner would be at liberty to pursue his representation before the concerned authority and it is hoped that his representation will be decided expeditiously.

5. No order as to costs.