

(2012) 12 AHC CK 0199

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 43734 of 2012

Raj Pal Singh

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 06-12-2012

Acts Referred:

Citation : (2013) 137 FLR 516 : (2013) 1 UPLBEC 191

Hon'ble Judges : Tarun Agarwala, J

Bench : Single Bench

Advocate : Vijay Gautam and Sri. Kailash Pandey, for the Appellant;

Final Decision : Dismissed

Judgement

Tarun Agarwala, J.—The controversy involved in the present writ petition is squarely covered by a decision of this Court passed in Writ Petition No. 56469 of 2012 dated 6.12.2012. The learned Counsel for the petitioner has raised an additional ground namely that the petitioner at some point of time in his career was transferred from Civil Police to GRP and had completed three years of service, and therefore, could not be transferred again to GRP. In addition to the aforesaid, the learned Counsel submitted that at best the petitioner could only be transferred for an additional period of two years only after receiving his consent in view of clause 3(4) of the Government Order dated 3.3.2012.

2. The submission of the learned Counsel for the petitioner is patently misconceived. Admittedly, the petitioner is on a transferable post and can be transferred from the date of his appointment till the date he reaches the age of superannuation. The contention that he could not be transferred to GRP again, since he has already been transferred is patently erroneous. Reliance on the Government Order dated 03rd March, 2012 is not applicable. It only relates to those personnels, who have been transferred for a period of three years from Civil Police to GRP, and who upon completion of their period of three years requested to continue in GRP, in which case, those personnels would continue for

a period of additional two years only. This Government order does not mean that consent is required from a police officer for his postings again to GRP, nor does it contemplate that he could not be posted again in GRP, nor does it contemplate that he could only be posted for a maximum period of five years. In the light of the aforesaid, the contention raised by the learned Counsel for the petitioner is bereft of merit, and is accordingly dismissed.