
(2010) 11 AHC CK 0036
In the Allahabad High Court
Case No : Special Appeal No. 438 of 2003

T.N. Mohila and Others

APPELLANT

Vs

U.P. State Electricity Board and Others

RESPONDENT

Date of Decision : 01-11-2010

Acts Referred:

Citation : (2011) 130 FLR 155

Hon'ble Judges : Ferdino Inacio Rebello, C.J;Amreshwar Pratap Sahi, J

Bench : Division Bench

Advocate : Ashok Khare and P.N. Ojha, for the Appellant; A.K. Mehrotra, for the Respondent

Final Decision : Dismissed

Judgement

Ferdino Inacio Rebello, C.J. and Amreshwar Pratap Sahi, J.—Heard learned Counsel for the Appellants and Shri Anil Mehrotra, learned Counsel appearing for the Respondents.

2. The Appellants, who were appointed as Meter Tester, came up before this Court assailing the order of their transfer as Technician Grade-II to another Division, on the ground that they could not have been transferred on the said post, as it was not permissible for the Respondents to transfer them from their original post to any other post carrying any other designation.

3. Learned Counsel for the Appellants has not been able to point out any provision, which may impede such a transfer. Even otherwise, from a perusal of the judgment of the Apex Court in the case of Hydro-Electric Employees' Union U.P. and Ors. v. Sudhir Kumar Sharma and Ors. 1999 (83) FLR 834 (SC), it is evident that such a plea has already been rejected by the Supreme Court.

4. Apart from that, Shri Mehrotra has invited our attention to a judgment delivered by a Single Judge of this Court in the case of Balram Rai v. U.P. Power Corporation Ltd. Shakti Bhawan Lucknow and Ors. Civil Misc. Writ Petition No. 39879 of 2001 decided on 4.12.2001, wherein it has been held that the post of

Meter Reader and Sub-Station Operator are both categorized as Technician Grade-II and, therefore, transfer can be made. No. other issue was raised by the learned Counsel for the Appellants.

5. In the light of above, we find No. merit in the appeal and the same is accordingly dismissed.