

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSS No.1413 of 2022 <u>Hon'ble Manoj Kumar Tiwari, J.</u> Mr. B.M. Pingal, learned counsel for the petitioner. Mr. R.C. Joshi, learned Brief Holder for the State of Uttarakhand. Heard learned counsel for the parties. Petitioner is serving as Lecturer in GIC, Dhikuli, Nainital. He has been transferred to GIC, Jhimar, Almora vide order dated 10.07.2022. The said transfer order has been challenged in this writ petition mainly on the ground that it has been passed in violation of provisions of the Uttarakhand Annual Transfer for Public Servants Act, 2017 and spouse policy has also not been considered, while transferring petitioner. The services rendered by petitioner in inaccessible places were overlooked. Mr. R.C. Joshi, learned Brief Holder appearing for the State points out that petitioner has served continuously at GIC Dhikuli, Nainital since 04.01.2007. Thus, petitioner has served at the same school situate in Sugam place for more than fifteen years. Learned counsel for petitioner</p>

contends that Dhikuli is inaccessible place, therefore, petitioner has to be credited for serving at Dhikuli for such a long period.

This submission, however, has been disputed by learned State Counsel, who submits that Dhikuli is accessible place, which is very close to Ramnagar town, therefore, it cannot be treated as inaccessible place.

Without going into the merit of the claim of petitioner, this Court thinks that ends of justice would be met, if petitioner is permitted to make fresh representation to the Competent Authority.

Accordingly, writ petition is disposed of with liberty to petitioner to make fresh representation on or before 29.07.2022 to the Competent Authority. It shall be open to petitioner to submit representation through e-mail with soft copy of this order to the Competent Authority. If petitioner makes such representation within stipulated time, the Competent Authority shall take decision thereupon, within two weeks thereafter. For a period of three weeks or till decision on petitioner's representation, whichever is earlier, *status quo qua* posting of petitioner shall be maintained.

(Manoj Kumar Tiwari, J.)

22.07.2022

