

| SL. No | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGES'S ORDERS  |
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|        |      |  | <p>WPSS No.1415 of 2022<br/> <b><u>Hon'ble Manoj Kumar Tiwari, J.</u></b></p> <p>Mr. Anil Kumar, Advocate for the petitioner.</p> <p>Mr. Ramesh Chandra Joshi, Brief Holder for the State of Uttarakhand.</p> <p>Heard learned counsel for the parties.</p> <p>Petitioner is serving as Lecturer (English) in Government Inter College Banskhera, Block Kashipur, District Udham Singh Nagar. He has been transferred to Government Inter College Sheetlakhhet, District Almora vide order dated 10.07.2022.</p> <p>In this writ petition, petitioner has challenged his transfer order.</p> <p>Learned counsel for the petitioner contends that, in view of provision contained in Section 17 of Transfer Act, petitioner is entitled to relaxation from transfer, as he is Widower. It is further contended that one Mr. Pankaj Jain, who is a Divorcee, has been given benefit of Section 17 (b) (v) of Transfer Act by exempting him from Transfer; although, his</p> |

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|  |  |  | <p>name was placed above the petitioner in the list of teachers, who came within the zone of compulsory transfer. It is further contended that petitioner has four minor children and there is no one in the family to look after them.</p> |
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Learned Brief Holder points out that petitioner was serving at Government Inter College Banskhera, Kashipur, District Udham Singh Nagar since 03.11.2006, thus, according to him, petitioner has served for nearly sixteen years at the same place. Learned Brief Holder, however, fairly submits that if petitioner makes a representation, regarding his transfer, the same shall be considered by the Competent Authority, expeditiously.

Accordingly, the writ petition is disposed of with liberty to petitioner to make representation to Transferring Authority on or before 29.07.2022. If petitioner makes such representation within the stipulated period, decision thereupon shall be taken by the Transferring Authority, within three weeks thereafter. It shall be open to petitioner to submit representation through e-mail with soft copy of this order.

For a period of four weeks' or till

decision on petitioner's representation, whichever is earlier, status quo, regarding petitioner's posting, shall be maintained.

**(Manoj Kumar Tiwari, J.)**

22.07.2022

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