

IN THE OFFICE OF THE SECRETARY, AIR FORCE, LUCKNOW. 100

C.O. No. 175 of 1992.

Sri Gopal Singh Verma..... Applicant.

Verma

The Union of India & Ors..... Opp. Parties.

For the Union of India & Ors. by Mr. A. K. Singh

(By Mr. A. K. Singh, Advocate)

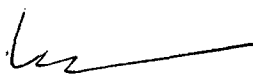
This application has been filed for a writ of mandamus to compel the respondent to transfer the applicant to Delhi. The applicant claims that he has foregone his promotion and is not entitled to go out to the workshop for promotion. After expiry of period of one year, he has been transferred this time to Delhi. The applicant has made various grievance against the transfer order, not only that his family circumstances including illness of his wife and the daughter is a great hindrance to his studies at Lucknow. Subsequently, he has pointed out that as soon as the promotion of other three persons who were provisionally promoted were adjusted at Lucknow and they were not transferred out of Lucknow, and only one of them has been transferred to Delhi. It is further stated that on the retirement of one Vyas in the workshop of the applicant there is a clear vacancy which is vacant and the applicant is entitled to be promoted to the same. That one of the grievances of the applicant is that the benefit of the promotion has been given to the other person who could not be promoted and the applicant has been adjusted to Lucknow and the applicant is sent on transfer out side Lucknow i.e. to Delhi. The applicant has filed a representation to the higher authorities, which has not been fixed

disposed of.

It is a case of transfer and transfer orders are passed on the each end of situation. But in this case the applicant has preferred a representation in which various grievances have been made and it appears to reason why the grievance will not be considered. No interference in the transfer order at this stage can be made, but the respondents are directed to consider the representation of the applicant taking into consideration the pleas and grievances which have been raised and thereafter pass an order. It will be open for the respondents to take a sympathetic view in the matter and ^{to} taking into consideration that other persons have been adjusted at Lucknow and for which reason the applicant had to forego his promotion. With these reasons observations the application is disposed of finally. No order as to the costs.

Dt: May 5, 1992.

(225)


Vice Chairman.