

Karnataka High Court
Venkatesha. H vs Union Of India on 24 May, 2023
Bench: E.S.Indiresh

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WP NO.10388 OF 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MAY, 2023

BEFORE

THE HON'BLE MR. JUSTICE E.S. INDIRESH
WRIT PETITION NO.10388 OF 2023 (S-TR)

BETWEEN:

VENKATESHA H.
S/O LATE HANUMANTHAPPA T.
AGED ABOUT 47 YEARS,
R/AT NO.600, TYPE-02,
GROUP CENTER CRPF,
YELAHANKA,
BENGALURU - 560 064.

...PETITIONER

(BY SRI. SRINIVASA K., ADVOCATE)

AND:

1. UNION OF INDIA
REP. BY ITS SECRETARY,
MINISTRY OF HOME AFFAIRS,
MHA, NORTH BLOCK,
NEW DELHI - 110 001.
2. DIRECTOR GENERAL
CENTRAL RESERVE POLICE FORCE,
BLOCK NO.1, CGO COMPLEX,
LODHI ROAD,
NEW DELHI - 110 003.
3. INSPECTOR GENERAL OF POLICE (PERS.)
OFFICE OF THE DIRECTORATE GENERAL,
CENTRAL RESERVE POLICE FORCE,
BLOCK NO.1, CGO COMPLEX,
LODHI ROAD,
NEW DELHI - 110 003.

Digitally signed by
ARUN KUMAR M S
Location: HIGH
COURT OF
KARNATAKA

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4. DIG (ORGANIZATION)
OFFICE OF THE DIRECTORATE GENERAL,
CENTRAL RESERVE POLICE FORCE,
BLOCK NO.1, CGO COMPLEX,
LODHI ROAD,
NEW DELHI - 110 003.
5. INSPECTOR GENERAL OF POLICE
CENTRAL RESERVE POLICE FORCE,
KK SECTOR, YELAHANKA,
BENGALURU - 560 064.
6. DEPUTY INSPECTOR GENERAL OF POLICE
GROUP CENTER, CRPF,
CENTRAL RESERVE POLICE FORCE,
YELAHANKA,
BENGALURU - 560 064.

...RESPONDENTS

(BY SRI. ADITYA SINGH, CGC FOR R1 TO R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED ORDER OF TRANSFER DATED 02ND MARCH, 2023 ISSUED BY THE RESPONDENT NO.4 VIDE ANNEXURE-H; DIRECT THE RESPONDENT NO.2 TO CONSIDER AND PASS SUITABLE ORDER ON THE REPRESENTATION OF THE PETITIONER DATED 12TH MAY, 2023 VIDE ANNEXURE-N AND ACCORDINGLY TO CONSIDER HIS POSTING/TRANSFER TO ANY OF THE PLACES AS MENTIONED IN THE SAID REPRESENTATION AND TO PASS SUITABLE ORDERS THEREON ON SYMPATHETIC AND HUMANITARIAN GROUNDS; AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

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ORDER

Sri. Aditya Singh, learned Central Government Counsel accepts notice for respondents 1 to 6.

2. In this writ petition, the petitioner has challenged the order of transfer dated 02nd March, 2023 (Annexure-H) passed by the respondent No.4; inter-alia sought for direction to the respondent No.2 to consider the representation of the petitioner dated 12th May, 2023 (Annexure-N).

3. Heard Sri. Srinivasa K., learned counsel appearing for the petitioner and Sri. Aditya Singh, learned Central Government Counsel appearing for respondents.

4. Sri. Srinivasa K., learned counsel appearing for the petitioner contended that the impugned order of transfer made by the respondents is non-est on the ground that the order is premature in nature and further he contended the petitioner has made representation as per Annexure-J to the respondent- Authorities through proper channel, however, the same has not been considered.

5. Per contra, Sri. Aditya Singh, learned Central Government Counsel appearing for respondents, on WP NO.10388 OF 2023 instructions, submits that the petitioner has been relieved from the present post.

6. Having heard the learned counsel appearing for the parties and taking into account the factual aspects on record that, as the petitioner has made representation dated 12th May, 2023 (Annexure-N) to the respondent No.2, I am of the view that the respondent No.2 shall consider the same in accordance with law, within an outer limit of two weeks from today and communicate the outcome of the same to the petitioner at the earliest. Accordingly, writ petition is disposed of.

All contentions of the parties are kept open.

SD/-

JUDGE ARK