

Court No. - 29

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 922 of 2021

Petitioner :- Dinesh Kumar Yadav

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Prem Narayan Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Munishwar Nath Bhandari, Acting Chief Justice

Hon'ble Rajendra Kumar-IV, J.

This public interest litigation (PIL) has been filed to challenge the order dated 15th June, 2021. The State of Uttar Pradesh had earlier restrain transfers of employees by the order dated 12th May, 2021. The State has now taken decision vide its order dated 15th June, 2021 to allow transfer and accordingly to supersede the order dated 12th May, 2020.

The petition has been preferred to challenge the order dated 15th June, 2021 which is essentially to permit the transfers of the employees. The challenge to the order has been made obtaining to the situation of COVID-19, ignoring the fact that a public interest litigation is not maintainable in regard to service matters other than for *quo warranto*.

The view aforesaid is supported by the judgment of the Apex Court in the case of **Central Electricity Supply Utility of Odisha Vs. Dhobei Sahoo and others, (2014) 1 SCC 161** and in the case of **Hari Bansh Lal Vs. Sahodar Prasad Mahto and others, (2010) 9 SCC 655**.

In view of the above, this public interest litigation is not maintainable and is accordingly dismissed.

Order Date :- 1.7.2021

VMA