

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).108/2007
(From the judgement and order dated 28/11/2006 in SA No. 1494/2006 of The
HIGH COURT OF JUDICATURE AT ALLAHABAD)

AKHILESH KUMAR ASTHANA

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 06/08/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE R.V. RAVEENDRANFor Petitioner(s) Mr.L.N.Rao, Sr.Adv.
Mr.Yatish Mohan, Adv.
Mr.R.K.Asthan, Adv.
Mr.R.N.Rai, Adv.
For Mr. E.C. Vidya Sagar,Adv.For Respondent(s) Mr. Ravi Prakash Mehrotra,Adv.
Mr.Garvesh Kabra, Adv.UPON hearing counsel the Court made the following
ORDER

Heard learned senior counsel for the petitioner and learned counsel for the respondents.

We see no reason to interfere with the impugned order. Accordingly, the special leave petition is dismissed. However, in the impugned order it was stated that his seniority would be determined adverse to his service interests. We direct that the District Judge shall determine his seniority at the transferred place in accordance with the rules.

Learned counsel for the High Court submits that this transfer of the petitioner was not taken up as a punitive measure and we direct that whatever report has been submitted the same shall not be used as basis for disciplinary proceedings.

(G.V.Ramana)
Court Master

(Veera Verma)
Court Master