

**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Writ Petition No. 57 (S/B) of 2006**

Dr. Sachinder Kumar Sharma  
Aged about 40 years  
S/o Sri Trilok Chand Sharma  
Presently Posted as Dy. Manager,  
Uttaranchal Live Stock Development Board,  
Rishikesh, Dehradun .....Petitioner

Versus

State of Uttaranchal through  
Secretary Department of Animal Husbandry  
Government of Uttaranchal,  
Dehradun & others .....Respondents

Sri S.S. Chauhan, learned counsel for the petitioner.  
Sri B.D. Upadhyaya, learned counsel for the respondents No. 1 and 2  
Ms. Anjali Bhargava, learned standing counsel for respondents No.3 to 6  
Ms. Beena Pande, learned standing counsel (U.P.) for respondents No.7

**Hon'ble P.C. Verma, J.**  
**Hon'ble B.C. Kandpal, J.**

By means of this writ petition, the petitioner has challenged the order-dated 22.09.2005 by which 18 Class-II Veterinary Officers have finally been allocated to the State of Uttaranchal and those employees who are not included in the said list have been deemed to be finally allocated to State of U.P. under Section 73(2) of the U.P. Reorganization Act, 2000.

2. Section 73(2) of U.P. Reorganization Act, 2000 gives absolute power to the Government of India to allocate the officers under the U.P. Reorganization Act, 2000. The challenge raised by the petitioner is that the petitioner is senior to several Veterinary Officers finally allocated to State of Uttaranchal, which is also clear from the seniority list annexed with the petition. Apart from this the personnel who have finally been allocated to State of Uttaranchal by order dated

11.09.2001 and 22.09.2005, there still exist several vacant post of Class-II officers in Animal Husbandry Department.

3. No doubt, these criteria are to be taken into account but besides this so many other factors are also to be taken into consideration for allocation of cadre. It is for the Government of India to give weight to the various factors in allocating the employees. If in the opinion of the Central Government, the petitioner was fit to be allocated to the State of U.P., no fault can be found with.

4. Therefore, we are not inclined to entertain the writ petition. The writ petition is dismissed in limine. No order as to costs.

**(B.C. Kandpal, J.)**

**(P.C. Verma, J.)**

**23.02.2006**

**Rajeev Dang**

WPSB No. 57/06

**Hon'ble P.C. Verma J.**

**Hon'ble B.C. Kandpal, J.**

**(Review Appln. No. 16/06)**

Heard learned counsel for the applicant/petitioner as well as learned counsel for the respondents on the review application.

The order dated 23.02.2006 passed by this Court is reviewed to the extent that the Respondent No.2/Union of India through its Secretary, Deptt. of Personnel & Training, New Delhi shall dispose of the representation of the petitioner dated 24.10.2005, contained in Annexure No.12 to this writ petition within a period of one month from the date of production of certified copy of this order.

The review application is disposed of accordingly.

(B.C.K.,J.)

(P.C.V.,J.)

03-03-2006

Rajeev Dang