



2026:AHC-LKO:6443-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL No. - 39 of 2026

Rohit Singh

.....Appellant(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Revenue
Deptt. U.P. Lko. And 5 Others

.....Respondent(s)

Counsel for Appellant(s)	: Ravi Shanker Tewari, Rakesh Kumar Verma, Sheo Pal Singh
Counsel for Respondent(s)	: C.S.C.

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard.

2. The appellant has challenged the judgment of the writ court on the ground that the writ court has failed to appreciate that the order was penal in nature and also the hardship of the appellant on account of medical condition of his son. Earlier posting at Sandila was more conducive for treatment of his son which is going on at Lucknow but now the posting albeit within the same district but in a different Tehsil i.e. Hardoi creates hardship for the appellant and his family.

3. We have gone through the impugned judgment and after hearing the appellant and after perusing the records, we do not find the posting of the appellant within the district in another teshil to be penal in any manner. If it is a case of hardship, the appellant should join at the transferred place and then submit an application to the competent authority for considering his transfer to any tehsil nearer to Lucknow, if there is a cause, i.e. if the medical condition of son of the appellant is such that he has to visit Lucknow regularly for his treatment. We, accordingly, **dispose of** this appeal with a direction to the competent authority who is said to be the District Magistrate or the A.D.M. as the case may be to consider the application of the appellant after he joins at the transferred place unaffected by the proceedings initiated by him i.e. with an open mind

after getting the facts regarding ailment of his son verified. Such decision shall be taken within three weeks of submission of such application. The impugned order stands modified accordingly. Joining of the appellant at the transferred place shall be subject to the decision to be taken as aforesaid.

(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)

January 29, 2026

Shanu/-