



2026:AHC-LKO:8973-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL No. - 429 of 2025

Prasang Srivastava

.....Appellant(s)

Versus

U.O.I. Thru. Home Secy. Ministry Of Home
Affairs New Delhi India And 6 Others

.....Respondent(s)

Counsel for Appellant(s)	:	Sunpreet Singh
Counsel for Respondent(s)	:	A.S.G.I., Raj Kumar Singh

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard Shri Sharad Pathak, learned Senior Advocate assisted by Shri Sunpreet Singh, learned counsel for the appellant and Shri S.B. Pandey, learned Senior Advocate and Deputy Solicitor General of India assisted by Shri Raj Kumar Singh, learned counsel for the respondents.

2. By means of this special appeal the appellant has challenged the judgment and order dated 24.11.2025 passed by learned Single Judge in Writ - A No. 13302 of 2025.

3. Having heard learned counsel for the appellant and learned Senior Advocate appearing for the respondents and after having perused the records including order dated 08.09.2025, according to which, it is not the appellant alone who has been transferred to Andaman & Nicobar Islands and also considering the assertion of the respondents herein that there is a need of such officials at Andaman & Nicobar Island and Census work is going on and there is deficiency of staff, we are of the opinion that though there is a provision for couple posting based on the DOPT guidelines but for the moment we do not find it a fit case for interference with the transfer order, however, subject to the caveat that on expiry of one year from today the appellant shall move an application before the transferring authority for considering his transfer taking into consideration the posting of his wife, who is in employment of State of Uttar Pradesh and is presently posted as Assistant Teacher at Raebareli, Uttar Pradesh, in light

of the said guidelines, objectively, without being influenced by the fact that the appellant has initiated legal proceedings. A decision shall be taken thereon accordingly.

4. If in the interregnum any options for choice posting/transfer are asked for by the respondents it is open for the appellant to give options uninfluenced by these proceedings and any observations made herein which shall be considered accordingly as per guidelines.

5. With the aforesaid observations/directions, the special appeal is **disposed of.**

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

February 5, 2026
R.K.P.