



2026:AHC:5888

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 94 of 2026

Sunil Kumar

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kailash Prakash Pandey
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Kailash Prakash Pandey, learned counsel for the petitioner and learned Standing Counsel, who appears for State-respondents.
2. The case of the writ petitioner is that he was appointed on the post of Sub-Inspector on 04.11.2015. However, while the writ petitioner was posted in Muzaffar Nagar, an order came to be passed on 01.08.2025 by the DIG (Karmik/ Establishment) Uttar Pradesh, Lucknow transferring the writ petitioner from Muzaffar Nagar to GRP Lucknow, however, the relieving order came to be passed on 21.12.2025. Learned counsel for the writ petitioner submits that the writ petitioner ought not to have been transferred/relieved, particularly, wherein as per the Government order dated 06.05.2025, the relieving is to be made within a period of one week. He further submits that a circular has been issued on 17.10.2025. Reliance has been placed upon several judgements of this Court including Special Appeal No. 481 of 2024, decided on 14.05.2024.
3. Prayer in the present petition is for quashing of transfer and relieving order.
4. Learned Standing Counsel could not dispute the said position, according to him, the Government orders and the circulars are binding upon the respondents. He submits that there are no exceptional reasons set out in retaining the writ petitioner from the date of his transfer till relieving. He submits that the order be set aside.
5. I have heard the learned counsel for the parties and perused the record carefully.

6. Apparently, the transfer order came to be passed on 01.08.2025 and the writ petitioner is stated to have been relieved by virtue of a relieving order dated 21.12.2025. Once there happens to be the circulars of the respondents that relieving is to be done within a period of 7 days then the petitioner could not have been transferred under leave in that regard. Moreover, the issue is no more res integra as the same stands decided in Special Leave No. 481 of 2024, decided on 14.05.2024.

7. Accordingly, the writ petition is **allowed**.

8. The impugned transfer orders dated 01.08.2025, passed by the Respondent No.2 the DIG /Establishment Karmik Uttar Pradesh Lucknow and consequential order dated 21.12.2025 passed by the respondent no.3 the Senior Superintendent of Police, Muzaffar Nagar, District Muzaffar Nagar, is quashed insofar as it relates to the writ petitioner. Liberty is granted to pass order, in case, required.

January 9, 2026

A. Prajapati

(Vikas Budhwar,J.)