



2026:AHC:19769

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1138 of 2026

Amarjeet Kumar, Head Constable

.....Petitioner(s)

Versus

The State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Aniket Jaiswal, Rishabh Kesarwani
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Rishabh Mishra, learned counsel for the writ petitioner and Sri R.S. Umrao, learned Standing Counsel for the State.

2. The case of the writ petitioner is that he was appointed on the post of Head Constable and presently posted as Head Constable in Reserve Police Lines, District Varanasi. On 15.06.2025, the writ petitioner came to be transferred from Varanasi to Prayagraj, however, the writ petitioner has been relieved on 10.11.2025. Submission is that the writ petitioner could not have been relieved after a period of one week. He further submits that a circular has been issued on 17.10.2025.

3. Prayer in the present petition is for quashing of transfer and relieving.

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 15.06.2025 and the writ petitioner is stated to have been relieved by virtue of a relieving order dated 10.11.2025. 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 15.06.2025, passed by the respondent no.3, ASP/DIP, Establishment/Karmik DGP, Headquarters, Police Bhawan, Shaheed Path, Signature Building, Gomti Nagar Extension, U.P., Lucknow and consequential order dated 10.11.2025 passed by respondent no. 4, Commissioner of Police, Varanasi, District Varanasi is quashed insofar as it relates to the writ petitioner. Liberty is granted to pass a fresh order if the respondents so chose to do so.

(Vikas Budhwar,J.)

January 29, 2026

Rajesh