



2026:AHC:25664

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1619 of 2026

Subodh Joshi

.....Petitioner(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Petitioner(s)	: Sanjay Kumar Mishra, Saurav Pandey, Sr. Advocate, Vinay Sharma
Counsel for Respondent(s)	: C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Ashok Khare, learned Senior Counsel assisted by Sri Sanjay Mishra and Sri Vinay Sharma, learned counsel for the writ petitioner as well as Sri Kartikay Saran, learned Additional Advocate General assisted by Sri Tejswavi Mishra, learned State Law Officer for the State.

2. The case of the writ petitioner is that the writ petitioner was appointed as District Panchayat Raj Officer in the Batch 2020 and her first posting was accorded on 07.01.2022 in Pilibhit and thereafter, he came to be transferred to Hathras on 07.06.2022. However, by virtue of the order impugned dated 27.01.2026 passed by the Additional Chief Secretary/Principal Secretary, Panchayat Raj, Governemnt of U.P., the writ petitioner is being transferred from Hathras to Hamirpur.

3. Questioning the said transfer order, the present writ petition has been preferred.

4. Learned Senior Counsel for the writ petitioner has sought to argue that impugned transfer order dated 27.01.2026 passed by the first respondent is shown to have been passed in public interest or administrative exigencies but while lifting the wheel, it will emerge that the impugned transfer order is punitive in nature. Submission is that the writ petitioner had made complaint to the Additional Chief Secretary, State of U.P. on 24.11.2025 and 14.01.2026 which became the motivating factor for transferring the writ petitioner. Contention is that the writ petitioner is

being sought to be transferred just in order to accommodate others. While inviting the attention towards para 51 of the writ petition, it has been contended that father of the writ petitioner is suffering from ailment and, in case, the writ petitioner is transferred to Hamirpur then his health would be jeopardized and while further inviting attention towards para 54, it is contended that out of 75 districts approximately 50% of the districts are run by Incharge, DPRO and in 10 to 12 districts, the post of DPRO is vacant and the writ petitioner can also be considered in NCR Region.

5. Sri K. Saran, learned AAG, on the other hand, submits that whatever might be the writ petitioner holds a transferable post and the nature of transfer orders depicts that the same is not punitive in nature merely because the writ petitioner as per her own choice, has filed complaint on 24.11.2025 and on 14.01.2026 cannot be a ground to hold the transfer order being punitive in nature. He submits that let the writ petitioner join the transferred place then he can prefer a representation and make a request for transfer to a place of her choice.

6. To such a submission, learned Senior Counsel for the writ petitioner has no objection.

7. Considering the submission so made across the bar and after perusing the record, the Court is of the opinion that the order impugned does not show that it is punitive in nature. Moreso, in view of the statement made by the rival parties, the writ petition stands disposed of directing the writ petitioner to join the transferred place within a period of one week from today and on the said joining it shall be open for the writ petitioner to prefer request letter before the respondent no. 1 seeking transfer to her choice place.

8. With the aforesaid observations, the writ petition stands **disposed of**.

(Vikas Budhwar,J.)

February 5, 2026

Rajesh