



2026:AHC:39441

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2308 of 2026

Mukesh Kumar

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Sheetla Sahai Srivastava
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Sheetla Sahai Srivastava, learned counsel for the writ petitioner and Sri Gaurav Singh, learned Standing Counsel for the State.
2. The case of the writ petitioner is that the writ petitioner was initially appointed as a Junior Accounts Clerk on 08.12.2001 and posted in Vikas Khand Bihar, District Pratapgarh thereafter, he was transferred from Pratapgarh to Prayagraj on 22.05.2018 and now by virtue of the order dated 22.12.2025, the writ petitioner has been transferred from the Office of District Basic Shiksha, Prayagraj to the Office of District Magistrate, Saharanpur.
3. Questioning, the transfer order, the present writ petition has been preferred.
4. Learned counsel for the writ petitioner has sought to argue that the impugned transfer order is stigmatic particularly when there happens to be a letter sent by erstwhile Block Pramukh, Shahdabad requiring the respondents to transfer the writ petitioner on 18.06.2025 and that became the motivating factor for transferring the writ petitioner. Learned counsel for the writ petitioner submits that the transfer order is neither in public interest nor in administrative exigency.
5. Sri Gaurav Singh, learned Standing Counsel submits that the document dated 22.12.2025 of the Director, Office Incharge, Audit and Accounts,

Lucknow refers to an order dated 17.12.2025 and according to him, the order dated 17.12.2025 is an order issued by the Deputy Secretary addressed to the Director, Internal Audit transferring the writ petitioner and two other persons on administrative basis. He submits that though as per the transfer order dated 22.12.2025, the writ petitioner was to be relieved and communication be made to the State Government but the writ petitioner was not relieved so on 02.02.2026 in exercise of the power under clause 11(2) of the Government Order dated 06.05.2025, the writ petitioner has been relieved by the State Government. According to him, the transfer order is an administrative basis and the letter dated 18.06.2025 has no relevance in that regard.

6. I have heard the submission so made across the bar and perused the record.

7. Apparently, the writ petitioner holds a transferable post and he has been transferred by virtue of an order dated 17.12.2025. A bare look of the order dated 17.12.2025 would go to show that along with the other writ petitioner two other incumbents were transferred and the same is an administrative grounds. As regards the reliance placed upon the letter dated 18.06.2025 of the erstwhile Block Pramukh, Shahdabad seeking to lodge a complaint for transferring the writ petitioner, the same cannot be said to be a ground for transferring particularly when there nothing on record either in the order dated 17.12.2025 or 22.12.2025 showing reference made to the letter dated 18.06.2025. Moreover, the recital contained in the order dated 17.12.2025 is for administrative transfer.

8. The Court does not interfere with the administrative decisions, however, until unless they are de hors statutory provision or mala fide then the Court seeks to interfere. Since the said ingredients are lacking, thus, the Court does not find it appropriate to interfere. Moreover, post joining of the writ petitioner to the transferred place, he may approach the competent authority raising his grievance which in the opinion of the Court would be considered expeditiously.

9. With the aforesaid observations, the writ petition stands **disposed of**.
10. Instructions filed today are taken on record and marked as Appendix 'A'.

February 20, 2026
Rajesh

(Vikas Budhwar,J.)