



2026:AHC:23245

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 1334 of 2026

Yugesh Kumar Yadav

.....Petitioner(s)

Versus

Union Of India And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Brijesh Kumar Yadav
Counsel for Respondent(s)	:	Vivek Kumar Singh, A.S.G.I.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Brijesh Kumar Yadav, learned counsel for the writ petitioner and Sri Vivek Kumar Singh, learned counsel for the respondents.
2. The case of the writ petitioner is that he was appointed on the post of Head Constable Wing-GD on 19.05.2001 and from 19.05.2001 to 11.09.2020, the writ petitioner was posted in different places and at present, he is posted in Varanasi. However, by virtue of order dated 21.01.2026 passed by Assistant Inspector General (Establishment), C.G.O. Complex, Lodhi Road, New Delhi, Respondent no.4, the writ petitioner has been transferred from ASG Varanasi to NLC Neyveli.
3. Questioning the said order, present writ petition has been preferred.
4. This Court entertained the writ petition on 02.02.2026 and instructions were provided to the Court.
5. Learned counsel for the writ petitioner has invited attention of the Court towards para-9 of the writ petition so as to contend that the son of the writ petitioner, Pawan Kumar is studying in Class-XII in 12th in C.M.G. Public School at Chandmari, Lodhan (Nagababa) Shivpur, Varanasi and thus, the writ petitioner be allowed to retain the quarter and not to transfer till 31.03.2026.
6. Sri Vivek Kumar Singh, learned counsel for the respondents has though opposed the said prayer, but according to him an undertaking is to be there of the writ petitioner and the writ petitioner is to adhere to the request, which he is seeking before this Court.

7. I have heard the submissions so made across the Bar and perused the records carefully.

8. Apparently, the writ petitioner holds a transferable post and thus the writ petitioner has to abide by the orders passed transferring him from one place to another. However, looking into the fact that the writ petitioner claims that his son is studying in Class-XII in Varanasi and the academic session is to come to an end on 31.03.2026. Thus the writ petition is being decided in following terms:-

(a) The writ petitioner is to provide an undertaking and an affidavit before the immediate superior in Varanasi by 17.02.2026.

(b) On furnishing of the undertaking to vacate the quarter as well as to join the transferred place by 03.04.2026, the writ petitioner shall be retained in Varanasi till 31.03.2026.

(c) Till 31.03.2026, the writ petitioner shall not be forced to join the transferred place.

(d) The protection so accorded to the writ petitioner is subject to fulfillment of the conditions and the timelines and in case of any violation thereof, the protection so accorded shall stand vacated without reference to the Bench.

(e) Subject to joining the transferred place, it shall be open for the writ petitioner to raise his grievance.

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

February 3, 2026

N.S.Rathour

(Vikas Budhwar,J.)