



2026:AHC:30052

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2043 of 2026

Nishant Kushik

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shailja Kant Tripathi
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri S.K. Tripathi, learned counsel for the petitioner and Sri Rahul Malviya, learned Standing Counsel for the respondents.

2. The petitioner claims himself to be the husband of respondent no. 6 and has challenged the order dated 05.12.2025 whereby respondent no. 6 has been transferred from Agra to Moradabad.

3. Submission of learned counsel for the petitioner is that respondent no. 6, being his wife, has committed fraud and obtained the transfer on spouse grounds though matrimonial disputes are pending between them.

4. In the opinion of the Court, such disputes arising out of matrimonial discord ought not to be agitated in proceedings under Article 226 of the Constitution of India. In case any fraud has been practiced in obtaining the transfer order, it is always open for the petitioner to approach the competent authority concerned and place the relevant facts before it.

5. Accordingly, the writ petition is not liable to be entertained and is hereby ***dismissed***.

(Vikas Budhwar,J.)

February 11, 2026

Sushma