



2026:AHC:34467

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2316 of 2026

Dr. Shakeel Ahmed

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ganesh Mani
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Ganesh Mani, learned counsel for the petitioner and Sri Gaurav Singh, learned Standing Counsel, who appears for State-respondents.

2. The counsel for the rival parties have made a joint statement that they do not propose to file any further affidavits thus with the consent of the parties, writ petition is being decided at the fresh stage.

3. The case of the writ petitioner is that he was appointed as a Medical Officer on 31.12.2010 and his services stood confirmed on 19.01.2013 by virtue of the order impugned dated 02.02.2026 passed by Chief Medical Officer, Azamgarh. The writ petitioner has been transferred from Community Health Centre, Palhani, Azamgarh to Community Health Centre, Badhya, Azamgarh.

4. Questioning the same, the writ petitioner has been filed the present writ petition.

5. Learned counsel for the writ petitioner has submitted that the said transfer order has been passed on the dictates and recommendation of one of the member of the ruling party with an allegation that the writ petitioner is that in the centre for a period is more than 9 years. Learned counsel for the writ petitioner submits that there cannot be any political intervention in the matter of transfer, particularly, a decision whether to transfer or not is to be taken by the appointing authority. He further submits that against the writ petitioner, there is no complaint.

6. Learned Standing Counsel on the other hand submits that whatever might be the writ petitioner holds a transferable post and he is not being transferred out of district but within the district from one centre to another.

7. I have heard learned counsel for the parties and gone through the records carefully.

8. Apparently, the writ petitioner stands transferred from one centre to another centre. On a pointed query being raised to learned counsel for the writ petitioner whether writ petitioner holds the transferable posts or not, the answer is that the writ petitioner holds the transferable post.

9. The writ petitioner does not dispute the fact that he is in the said centre for approximately 9 years. The impugned transfer order is neither punitive nor the same is by way of punishment. Merely because there happens to be a communication by the member of the ruling party would not the term the transfer to punitive.

10. Apart from the same, it is also the case for the writ petitioner that the transfer order has been passed by an authority who is competent to transfer the writ petitioner.

11. Bearing in mind the aforesaid backdrops that this Court does not find the present case to be a fit case for interference. However, in case the writ petitioner joins the transfer place, it shall be open for the writ petitioner to represent his cause before the respondents and in case such representation is preferred then the same shall be considered strictly in accordance with law.

12. Accordingly, the writ petition stands **disposed of**.

February 17, 2026

Ashu

(Vikas Budhwar,J.)