



2026:AHC:127024

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 8953 of 2026

Satish Kumar Singh

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dhananjai Rai, Vibhu Rai
Counsel for Respondent(s)	:	C.S.C.

Court No. - 38

HON'BLE PRAKASH PADIA, J.

1. Earlier against the order of transfer dated 15.06.2025 by which petitioner was transferred from Muzaffar Nagar to Shravasti was challenged by filing a petition being Writ A No.8659 of 2025, which was disposed of by judgement and order dated 03.07.2025. The order dated 03.07.2025 is reproduced hereinbelow :-

"1. Heard Sri Vibhu Rai, learned counsel for the petitioner and learned Standing Counsel for the State.

2. Petitioner who is working as District Commandant Home Guards, Muzaffarnagar is aggrieved by the order of transfer though general in nature dated 15.06.2025 whereby he has been transferred from Muzaffarnagar to Shravasti.

3. It is contended on behalf of the petitioner that the petitioner has been transferred on his own personal interest but he wanted posting in the district neighbouring Bihar and yet his request has not been considered and he has been transferred to Sravasti. It is next submitted that the since the petitioner has sought transfer on account of threat to his life and hence he should have been accommodated to a desired district or nearby district moreso in the circumstances when his father is ailing.

4. Learned Additional Chief Standing Counsel states that the petitioner could not be transferred in the desired district as no vacancy of District Commandant Homeguards were available. However he has no instruction regarding other districts bordering Bihar like Padrauna, Deoria and Maharajganj.

5. In such above view of the matter, when the petitioner has been transferred on his own request, I consider it appropriate for the respondents to reconsider the request of the

petitioner to be transferred to any nearby district other than those which were mentioned in his request letter.

6. Accordingly, I dispose of this petition with direction to the petitioner to make a fresh representation within two weeks from today before respondent no.2 who shall reconsider his request by transferring him to the borders of Bihar and in the event any such representation is made, the same shall be decided within a further period of two weeks.

7. For a period of 45 days or till the decision is taken by the authority, if the petitioner has not been relieved pursuant to the order dated 15.06.2025, he shall not be relieved. "

2. Pursuant to the aforesaid petitioner was permitted to join his duties in Maharajganj vide order dated August 11, 2025. Now by the order impugned petitioner has been transferred from Maharajganj to Mahoba. Aggrieved against the aforesaid petitioner has preferred present writ petition.

3. It is stated in paragraph-7 of the writ petition that the order impugned has been passed ignoring the fact that petitioner had not completed 3 years of posting in a particular place. It is stated in paragraph-8 of the writ petition that impugned transfer order has been passed ignoring the fact that father of the petitioner is aged about 77 years and is residing at district-Sheohar, Bihar and there is a continuous request made by him to post him to the district nearby the said place in State of U.P. Hence impugned order is liable to be set aside.

4. On the other hand it is argued by learned Standing Counsel that in case petitioner will submit a fresh representation before the respondent no.2, he will consider the grievance of the petitioner and will take a decision in the matter expeditiously.

5. In this view of the matter, present writ petition is disposed of permitting the petitioner to raise his grievances against the order of transferring by filing a fresh representation before the respondent no.2-Director General of Police/Commandant General, Home Guards, Lucknow within ten days from today. If such a representation is made, the respondent no.2 is directed to pass appropriate order in accordance with law

within a further period of four weeks.

6. With the aforesaid observations, present writ petition is disposed of finally.

7. For a period of six weeks or till disposal of the representation, whichever is earlier, the effect and operation of the order dated 30.05.2026 passed by respondent no.2 shall remain stayed.

June 12, 2026

Pramod Tripathi

(Prakash Padia,J.)