



2026:AHC:38338

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 2568 of 2026

Chhote Lal Yadav

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kailash Prakash Pandey
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Kailash Prakash Pandey, learned counsel for the petitioner and Sri learned Standing Counsel, who appears for State-respondents.
2. The case of the writ petitioner is that he was appointed on the post of constable on 26.06.2005, head constable in the year 2022. However, while the writ petitioner was posted in Varanasi, an order came to be passed on 15.06.2025 by the DIG (Karmik) Uttar Pradesh, Lucknow transferring the writ petitioner from Varanasi to Prayagraj, however, the relieving order came to be passed on 10.11.2025. Learned counsel for the writ petitioner submits that the writ petitioner ought not to have been transferred/ relieved, particularly, wherein as per the Government order dated 06.05.2025, the relieving is to be made within a period of one week. He further submits that a circular has been issued on 17.10.2025. Reliance has been placed upon several judgements of this Court including Special Appeal No. 481 of 2024, decided on 14.05.2024.
3. Prayer in the present petition is for quashing of transfer and relieving order.
4. Learned Standing Counsel could not dispute the said position, according to him, the Government orders and the circulars are binding upon the respondents. He submits that there are no exceptional reasons set out in retaining the writ petitioner from the date of his transfer till relieving. He submits that the order be set aside.
5. I have heard the learned counsel for the parties and perused the record carefully.

6. Apparently, the transfer order came to be passed on 15.06.2025 and the writ petitioner is stated to have been relieved by virtue of a relieving order dated 10.11.2025. Once there happens to be the circulars of the respondents that relieving is to be done within a period of 7 days then the petitioner could not have been transferred under leave in that regard. Moreover, the issue is no more res integra as the same stands decided in Special Leave No. 481 of 2024, decided on 14.05.2024.

7. Accordingly, the writ petition is **allowed**.

8. The impugned transfer orders dated 15.6.2025, passed by the Respondent No.2 the DIG Karmik Uttar Pradesh Lucknow and consequential order dated 10.11.2025 passed by the respondent no.3 Police Commissioner , Varanasi is quashed insofar as it relates to the writ petitioner.

February 20, 2026
Ashu

(Vikas Budhwar,J.)