



2025:0004 - 1 K03:2025

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 14071 of 2025

Anurag Singh
.....Petitioner(s)
Versus
State Of U.P. Thru. Its Prin. Secy. Medical And
Health Services, Lko And Another
.....Respondent(s)

Counsel for Petitioner(s)	:	Savita Jain
Counsel for Respondent(s)	:	C.S.C.

Court No. - 7

HON'BLE MANISH MATHUR, J.

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of the opposite parties.
2. Present petition under Article 226 of Constitution of India has been filed challenging order dated 21.11.2025 whereby petitioner's request for transfer on the basis of couple posting from Siddharth Nagar to Shahjahanpur or Kannauj has been rejected.
3. It is submitted that earlier petitioner had filed WRIT – A No. - 12773 of 2025 which was disposed of vide order dated 06.11.2025 directing authority concerned to consider petitioner's grievance for couple posting in terms of paragraph-5 of Government Order dated 06.05.2025. It is in pursuance thereof that impugned order has been passed.
4. From a perusal of material on record, it appears that since the impugned order did not advert to petitioner's grievance for posting either at Shahjahanpur or Kannauj, time was granted to opposite parties to obtain instructions with regard to same.
5. Learned counsel for petitioner has also filed supplementary affidavit today, which is taken on record, providing names of three persons who were willing and had supplied their applications for being posted in Siddharth Nagar. It is submitted that despite the fact that there are other employees willing to be posted in District

Siddharth Nagar, such posting is not being provided by opposite parties who are not acceding to request made by petitioner. Arbitrariness has therefore been alleged. It is further submitted that Siddharth Nagar being an aspirational District and petitioner having spent more than four years in the said District, in terms of Government Order dated 06.05.2025, such posting as sought by petitioner was required to be considered by opposite parties.

6. Mr. Vikas Singh, learned State Counsel has refuted the submissions advanced by learned counsel for petitioner. He has been provided written instructions dated 16.12.2025, which are taken on record and on that basis submits that earlier, petitioner had sought posting in District Hardoi but the same was rejected since petitioner had already spent 13 years in District Hardoi. It is submitted that since petitioner is working in an aspirational district, as per Government Policy, all the relevant posts in the said aspirational district are required to be filled first, prior to considering any person for any other posting or transfer. It is also submitted that names of three persons which have been indicated in the supplementary affidavit have already spent more than 10 years, 22 years and 13 years respectively and therefore their posting in District Siddharth Nagar cannot be considered.

7. Upon consideration of submissions advanced by learned counsel for the parties and perusal of material on record, it is thus evident that petitioner is seeking the benefit of paragraph - 5 of Government Order dated 06.05.2025 for purposes of couple posting. Reliance has also been placed on the Government Order on the ground that since petitioner has already completed two years of posting in District Siddharth Nagar, his posting was required to be considered in terms of options provided.

8. It is not denied by learned counsel for parties that at present petitioner is posted in an aspirational district. The ground taken by opposite parties for not transferring petitioner as per his options is that in terms of Government Policy, all the posts in an aspirational district are first required to be filled whereafter only transfer of

employees can be considered.

9. In the considered opinion of this Court, the aspect of couple posting has been indicated clearly in paragraph-5 of Government Order dated 06.05.2025. However, the same does not give an unbridled or vested right to an employee for requiring such transfer. Cogent reasons have been indicated by the State Government for not acceding to request of petitioner. The ground of arbitrariness raised by learned counsel for petitioner also is not made out in view of fact that the persons indicated in supplementary affidavit have already spent more than 10 years in District Siddharth Nagar earlier and therefore their posting in such District cannot be considered.

10. In view of aforesaid discussion, this Court does not find any good ground to grant indulgence at this stage. However it is directed that in the next annual transfers, in case petitioner seeks his posting in terms of prevalent policy at that time, for requiring couple posting, the same shall be considered by the appropriate authorities prior to issuing any posting orders.

11. With aforesaid directions, the petition stands finally disposed of.

(Manish Mathur,J.)

December 17, 2025

kvg/-