



2026:UHC:1287-DB

HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE SHRI SUBHASH UPADHYAY

25th February, 2026

Writ Petition (S/B) No.43 of 2026

Dr. Prabha Bisht

-----Petitioner

Versus

Secretary, Higher Education, Govt. of Uttarakhand
& Others

-----Respondents

Presence:-

Shri S.S. Yadav, learned counsel for the petitioner.

Shri Jagdish Chandra Pandey, learned Standing Counsel for the
State/respondent nos. 1 and 2.

JUDGMENT: (per Manoj Kumar Gupta, C.J.)

1. The present petition has been filed by the petitioner challenging the order dated 30.09.2024 cancelling the attachment of the petitioner, who is an Assistant Professor at M.B. Government Post Graduate College, Haldwani. As a result, the petitioner was relieved from attachment at M.B. Government Post Graduate College, Haldwani on the same day and he joined his duties at Doiwala, Dehradun.

2. Earlier, the petitioner challenged the same order by filing WPSB No.794 of 2024 and a Coordinate Bench by order dated 02.01.2025 while declining to interfere with the order dated 30.09.2024 disposed of



the writ petition directing the competent authority to examine the request of the petitioner for transfer to a *sugam* place as per option given by her in the next transfer season.

3. It is noteworthy that in pursuance of the aforesaid direction by the Writ Court, the Secretary, Higher Education has considered the representation of the petitioner and has passed an order dated 06.01.2026. It has been observed that during Session 2025-26 transfers could not be effected on account of the Model Code of Conduct being in force as the Panchayat Elections, 2025 were being held. By the time, the election process was completed, the transfer season was over. It has been observed that the request of the petitioner for transfer to a *sugam* place would be considered in the next transfer season i.e. 2026-27.

4. The transfer season starts from April of a particular year.

5. Learned counsel for the petitioner has not disputed that in the last transfer season, the transfers were not effected on account of the Model Code of Conduct being in force. The submission is that the



place, at which, the petitioner has given option for transfer and for which there is also a recommendation of the Additional Director in her favour, the respondents are proposing to post some other teacher on attachment basis. The petitioner, therefore, has also prayed for a mandamus directing the respondents not to fill up the post where she is seeking transfer by attachment and if at all any one is to be posted, by attachment, the petitioner should be so posted.

6. No employee has any right to seek attachment at a particular post. Respondents have already observed that the request of the petitioner for transfer at a *sugam* place would be considered in the ensuing transfer season, which would start from April, 2026.

7. In such view of the matter, we find no merit in the Writ Petition. It is accordingly, dismissed.

8. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 25.02.2026
Kaushal