



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

Writ Petition (S/B) No.230 of 2026

April 23, 2026

Kapil Sahni

----Petitioner

Versus

Punjab and Sind Bank & Another

----Respondents

Presence:-

Mr. Rajendra Dobhal, learned senior counsel assisted by Mr. Shubhang Dobhal,
learned counsel for the petitioner

Mr. Anchit Khokher, learned counsel for the respondents Bank.

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

1. Heard learned counsel for the parties.
2. The present writ petition has been filed by the petitioner, who is a Senior Manager in the respondent Bank, being aggrieved by order of his transfer dated 03.03.2026 from Dehradun Zonal Office to Bareilly Zonal Office and order dated 02.04.2026, rejecting his representation, thereby declining to accommodate him at Dehradun zone.

3. The case of the petitioner is that he was transferred from Bareilly zone to Dehradun zone on



22.05.2024 on his own request as his father is a cancer patient and better medical facilities are available at Dehradun. The petitioner has again been transferred to Bareilly zone on 03.03.2026 although he had not completed the tenure of three years. The further case of the petitioner is that, as a result of transfer, he would face great difficulty, as his daughter is studying in Class XII and has to appear in Board Examination. The petitioner with the aforesaid contentions preferred WPSB No.148/2026 before this Court. The said writ petition was disposed of by order dated 19.03.2026, permitting the petitioner to represent before the respondent bank in respect of his alleged difficulties along with documentary evidence with further direction to the respondent bank to consider the representation sympathetically.

4. The Bank, after considering the representation, has rejected the same, by impugned order dated 02.04.2026. The order records that the petitioner was transferred from Dehradun zone to Bareilly zone on administrative reason. The post, on which the petitioner was working, has been filled up by transfer of one Sita Ram, Officer in Scale IV. It has also been noted in the order that the petitioner has already completed two years at Dehradun zone. In terms of Regulation 47 of the Punjab &



Sind Bank Officers Service Regulations, 1982, an Officer of the Bank is liable to transfer to any office or branch of the Bank or to any place in India. In respect of the contention that the petitioner's father is a cancer patient, it has been observed that the Bareilly zone has good medical facilities and there are large number of government and private hospitals at Bareilly. In respect of the second plea that the daughter of the petitioner has to appear in Class XII Board Examination, it has been observed that the Board Examination would get concluded by end of March/April.

5. Shri Rajendra Dobhal, learned senior counsel appearing for the petitioner submits that the respondents have violated their own Transfer Policy, particularly Clause 10, in rejecting the request to accommodate him at Dehradun zone. It is further urged that the petitioner could have been accommodated against some other post in Dehradun zone, in case the post from which the petitioner was transferred from Dehradun zone, has got filled up in the meantime.

6. Per contra, learned counsel for the respondents bank submits that transfer is an exigency of service and in view of Regulation 47 of Punjab & Sind Bank Officers Service Regulations, 1982, the petitioner can be posted at



any place in India. In respect of the alleged difficulties, the bank has duly considered the same while deciding the representation. He further submits that as per Clause 5(a) of the Transfer Policy, the minimum tenure of any Officer at a particular branch is only one year, whereas the petitioner had completed two years at Dehradun zone and therefore, he cannot even allege violation of the Transfer Policy.

7. Undoubtedly, the post being held by the petitioner is a transferable post. It is also not disputed that the petitioner as per Regulation 47 of Punjab & Sind Bank Officers Service Regulations, 1982 is liable to be transferred to any office or branch of the bank or to any place in India. Relevant part of Clause 10 of the Transfer Policy on which much emphasis has been placed is as follows:-

“10. Transfer On Critical Illness/Life Threatening Disease:

- a) In cases involving diagnosis of Terminal/Critical illness covering Cancer, Paralytic Stroke, Renal Failure, Coronary Artery Disease, Thalassemia or Parkinson's Diseases for self/spouse/dependents, endeavor to post the official at home place/place of choice (on account of medical treatment being available at that specific centre) shall be made, subject to compliance with DFS/CVC guidelines. Further, they shall also be exempt from the purview of the scoring matrix.”*



2026:UHC:2988-DB

8. A plain reading of the said provision reveals that it is not mandatory in nature. It only provides that in cases involving diagnosis of terminal or critical illness endeavor shall be made by the Bank to post the official at the same place/place of choice.

9. The Bareilly zone, where the petitioner has been transferred, has adequate medical facilities and large number of good government and private hospitals. The petitioner has thus not been transferred to a place where there are no medical facilities. The transfer was for administrative reasons and the Bank being the employer has right to decide that which Officer has to be placed at which place. Admittedly, as per Clause 5(a), the minimum tenure prescribed i.e. of one year, is already over. It is also not disputed before us that the Board Examination of the daughter of the petitioner is also over and therefore, the other ground on basis of which representation was made, ceases to exist.

10. In view of the above, we decline to interfere with the impugned orders. The writ petition is, accordingly, dismissed.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 23.04.2026

Rajni

**RAJINI
GUSAIN**

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