



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 1781 of 2026

13 July, 2026

Mukesh Chandra Deorari

--Petitioner

Versus

State Of Uttarakhand & others

--Respondents

Presence:-

Mr. TPS Takuli, learned counsel for the petitioner.

Mr. N.S. Pundir, learned Deputy Advocate General for the State.

Hon'ble Pankaj Purohit, J.

Petitioner has challenged the impugned transfer order dated 30.06.2026, annexure-1 to the writ petition, *qua* the petitioner, passed by respondent no.2, whereby petitioner, at S.No.4, was transferred from Government Industrial Training Institute, Gadarpur to Government Industrial Training Institute, Khetikhan under the compulsory transfer from an accessible area to a remote area.

2. Respondent-department asked for options from the petitioner upon his name falling in the eligibility list for compulsory transfer from an accessible area to a remote area. Pursuant thereto, petitioner submitted two options, namely, (i) Government Industrial Training Institute, Tandi (Nainital) and (ii) Government Industrial Training Institute, Sald Mahadev, Pauri Garhwal, vide option dated 25.06.2026, annexure-3 to the writ petition. Instead of acting on the options given by the petitioner, petitioner was transferred to Khetikhan and respondent no.3, Pramod Joshi, was transferred to Government Industrial Training Institute, Tandi (Nainital).



3. Learned counsel for the petitioner contends that since petitioner has lesser service in an accessible area to his credit than that of respondent no.3, therefore, instead of transferring respondent no.3 to option no.1, which had been exercised by the petitioner, petitioner should have been transferred.

4. To buttress his submission, petitioner has drawn the attention of this Court to the first proviso to Section 17(1)(a) of the Uttarakhand Annual Transfer for Public Servants Act, 2017.

5. Per contra, learned counsel for the State submits that from the transfer order, it is clear that the transfer order has to be complied with by the transferred employee within one week from the issuance of the transfer order, i.e., 30.06.2026. Therefore, respondent no.3 must have joined Government Industrial Training Institute, Tandi (Nainital), and accordingly, at this stage, petitioner cannot be transferred to the institution which he had given as option no.(i).

6. To this, learned counsel for the petitioner submits that the second option is still available, to which he can be transferred.

7. Heard learned counsel for the parties and perused the transfer order as well as the contentions made in the writ petition. This Court is of the view that, at this stage, no interference is warranted as respondent no.3 must have joined at the transferred place. However, the writ petition can be disposed of with limited liberty, keeping it open to the petitioner to file a fresh representation before respondent no.2 within a period of seven days from today. If such representation is filed by petitioner, respondent no.2 shall consider and decide the said



2026:UHC:5712

representation by a speaking order, accommodating the petitioner, and if there is a vacancy on the post of Instructor in Government Industrial Training Institute, Sald Mahadev, Pauri Garhwal, then the petitioner's case may be considered for transferring him thereto within a period of one week thereafter, in accordance with law.

8. Pending applications, if any, stand disposed of accordingly.

(Pankaj Purohit, J.)
13.07.2026

AK