



S L - N o -	Date	Office Name, Judge's Designation or Judge's Signature and Seal	COURT'S OR JUDGE'S ORDERS
			<u>WPSS/2134/2026</u> Kundan Lal --Petitioner Versus State of Uttarakhand and others --Respondents <u>Hon'ble Pankaj Purohit, J.</u> Mr. Vinod Nand Barthwal, learned Counsel for the petitioner through V.C. 2. Mr. Sushil Vashisth, learned S.C. for the State. 3. Petitioner has challenged the order dated 31.07.2026 whereby petitioner has been transferred from Govt. Inter College, Langasi (Jyotirmath) Chamoli to Govt. Inter College, Sarnaul (Naugaon), Uttarkashi on administrative grounds. 4. In fact, petitioner has assailed the transfer order on the ground that the same is illegal, arbitrary and against the provisions of the Uttarakhand Annual Transfer for Public Servants Act, 2017 (hereinafter referred to as 'the Act'). He further submits that transfer of petitioner is passed after June, and since this is a mid-term transfer, the same cannot sustain. 5. Per contra, learned State Counsel submits that petitioner was transferred on administrative grounds on the basis of some complaint which was investigated into under the provisions of the Act, and it is only after the recommendation of superior authority as contemplated under the Proviso appended to Section 18(5) of the Act, petitioner's transfer has been effected. 6. Learned State Counsel has also passed on to the Court a copy of letter dated 21.07.2006 whereby approval was sought from the Director, Secondary Education, Uttarakhand for transferring the petitioner on administrative grounds as per the Proviso appended to Section 18(5) of the Act. The said letter is taken on record.



7. For convenience sake, Sections 18(4) and 18(5) are quoted below: -

18. Procedure of Posting on Appointment/ Promotion and other Transfer-In addition to annual/general transfer, the procedure of posting in appointment/promotion and other transfers shall be in following conditions, as follows:-

(1)

(2)

(3)

(4) On enquiry, on the grounds of serious complaints of misconduct, misbehavior with senior officers and lack of interest in work etc. after necessary enquiry and confirmation, transfer of such employee may be made on administrative grounds:

Provided that the transfer on administrative grounds shall not be made casually or on the basis of complaints of routine nature and in the orders of such transfer it shall be necessary to mention Administrative Grounds.

(5) The competent authority may issue posting/transfer orders besides the transfer to be made as per clause (1) to (4) aforesaid in separate and different period also and it shall not be necessary to bring such cases before the transfer committee:

Provided that on transfers made on administrative grounds the competent authority shall have to take approval from the one rank higher officer.

8. From a reading of letter dated 21.07.2026 issued under the hands of Additional Director (Secondary Education), Garhwal Region, Pauri, it is evident that there are serious charges levelled against the petitioner which were investigated into, at the departmental level, and it is only after obtaining approval from one rank higher officer i.e. Director, School Education transfer of petitioner was effected.

9. In such view of the matter, no interference is warranted. The writ petition is dismissed.

(Pankaj Purohit, J.)

11.08.2026

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