2026:AHC-LKO:40581

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - A No. - 6018 of 2026

Ashok Kumar Pandey

.....Petitioner(s)

Versus

State Of Up Thru. Special Secy. Technical Education Lko. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Sanjay Misra, Pratyush Mishra
Counsel for Respondent(s)	:	C.S.C.

Court No. - 15

HON'BLE BRIJ RAJ SINGH, J.

(Order on I.A. No. Nil of 2026 in re: Application for Impleadment)

1. Application for impleadment filed by Shri Farooq Ahmad, Advocate on behalf of Mohd. Asif Zaidi is taken on record.

2. Shri Farooq Ahmad, Advocate has submitted that application may be permitted to be impleaded as necessary party in the writ petition as respondent no. 4.

3. Learned counsel for the petitioner has no objection if applicant is impleaded as respondent no.4 in the writ petition.

4. Accordingly, the application is allowed.

5. Learned counsel for the petitioner is directed to implead the applicant as respondent no. 4 in the writ petition during the course of the day.

(Order on Writ Petition)

6. Instructions dated 04.06.2026 produced by learned Additional Chief Standing Counsel for the State are taken on record.

7. Heard learned counsel for the petitioner, learned Standing Counsel for respondents nos. 1 to 3, and Shri Farooq Ahmad, learned counsel for respondent no.4.

7. With the consent of learned counsel appearing for the contesting parties, the writ petition is being finally decided.

8. The instant writ petition has been filed praying for following main reliefs:

> *"I. To issue a writ order or direction in the nature of certiorari whereby this Hon'ble Court may kindly be pleased to quash the impugned transfer order dated 30.05.2026, so far it relates to the petitioner, passed by the opposite party No.1, as contained in Annexure No. 1 to the writ petition.*
>
> *II. To issue a writ, order or direction in the nature of mandamus commanding the opposite parties to retain the petitioner in the same office as per the Transfer Policy 2026-27 till the completion of the education of his son at Lucknow;"*

9. At the outset, learned counsel for the petitioner has submitted that he is ready to join at transferred place tomorrow.

10. While pressing the writ petition, he has further submitted that while issuing the transfer order, there is violation of Clause 5(iii) of Transfer Policy dated 05.05.2026, therefore, the transfer order is liable to be stayed.

11. On the other hand, learned Additional Chief Standing Counsel for the State has submitted that the impugned transfer order is an annual transfer order and does not suffer from any statutory violation. He has further submitted that the petitioner has been posted at Lucknow for the last sixteen years and the impugned order has been issued as part of the regular transfer process.

12. Shri Farooq Ahmad, learned counsel for respondent no.4 has submitted that the petitioner is posted at Lucknow for the last sixteen years and it is a seasonal transfer order, there is no need for interference in the impugned order.

13. After arguing at length, learned counsel for the petitioner has submitted that the petitioner may be permitted to submit a fresh representation before the respondent no.1 which may be directed to be decided within a time frame fixed by this Court to which learned Counsel for the respondents have no objection. He has further submitted that he

may be transferred to some other place like Kanpur, if not possible at Lucknow.

14. In view of the statement given by learned counsel for the petitioner that he will join the post by tomorrow, it is provided that in case the petitioner submits a representation within a week from today before respondent no.1 then, respondent no.1/State of Uttar Pradesh through Special Secretary, Technical Education, Civil Secretariat, Lucknow shall consider and decide the same by means of a reasoned and speaking order in accordance with law within a further period of two weeks from the date of submission of the representation along with certified copy of this order.

15. With the aforesaid directions, writ petition is ***disposed of.***

16. In case, the petitioner does not comply with this order, the benefit of this order will not be available to him.

17. It is made clear that this Court has not gone into the merits of the claim set forth by the petitioner.

(Brij Raj Singh,J.)

June 9, 2026
Mohit Singh/-

Digitally signed by :-
MOHIT SINGH
High Court of Judicature at Allahabad,
Lucknow Bench