2026:AHC-LKO:41068

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - A No. - 6060 of 2026

Dukhharan Choudhary, Pac Pno.- 870500163

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Civil Sectt. Lko. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mohammad Aslam Beg
Counsel for Respondent(s)	:	C.S.C.

Court No. - 3

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Mohd. Aslam Beg, learned counsel for the petitioner and Sri Vinod Kumar Singh, learned Additional Chief Standing Counsel for the State.

2. The present petition has been filed for the following relief:

"I. Issue a writ, order or direction in the nature of CERTIORARI thereby quashing impugned General transfer order dated 19-05-2026 passed by opposite party no 2 i.e., Deputy Inspector General of Police PAC Lucknow Anubhag Lucknow, the name of the petitioner mention at serial No. 8, the opposite party N. 2 was transfer to the petitioner from 32nd Battalion PAC Lucknow to 35th Battalion P.A.C Lucknow without considering the grave medical condition of the petitioner. The petitioner underwent major knee surgery at King George's Medical University (KGMU), Lucknow on 28.01.2025 and is under continuous medical supervision. The treating doctors have advised periodic follow-up, physiotherapy, and regular medical care. Transfer of the petitioner to a distant station would seriously jeopardize his recovery and physical mobility and also not consider the petitioner is due to retire within approximately one and a half years contained as Annexure No.1 to this writ petition extent to the petitioner. II. Stay the impugned General transfer order dated 19-05-2026 passed by opposite party no 2 i.e., Deputy Inspector General of Police PAC Lucknow Anubhag Lucknow, the name of the petitioner mention at serial No. 8, the opposite party N. 2 was transfer to the petitioner from 32nd Battalion PAC Lucknow to 35th Battalion P.A.C Lucknow without considering the grave medical condition of the petitioner, extent to the petitioner."

3. Learned counsel for the petitioner has submitted that the petitioner is a Head Constable in PAC and has been transferred from 32nd

Battalion PAC, Lucknow to 35th Battalion PAC, Lucknow. He is going to retire after one and a half years and is also suffering from various ailments. It is further submitted that the petitioner has also filed a representation dated 02.06.2026 before the DIG, PAC, Lucknow, which is still pending.

4. Learned Standing Counsel submitted that, as per the judgment of the Apex Court in the case of **Tushar D. Bhatt Vs. State of Gujarat and Another,** reported in **(2009) 11 SCC 678**, for redressal of a grievance covered under the transfer policy, a Government employee has a right to move a representation before the appropriate authority. Therefore, the petitioner has a remedy to approach the concerned authority.

5. Considering the aforesaid submission and taking into account that the transfer policy of 2026-27, the DIG, PAC, Lucknow is directed to consider the representation dated 02.06.2026 of the petitioner, in accordance with law, as expeditiously as possible, preferably within a period of one month, from the date of production of a certified copy of this order.

6. With the aforesaid observation, the present petition is **disposed of.**

7. It is made clear that the representation shall be considered by the DIG, PAC, Lucknow only after proof that the petitioner has joined at the place of new posting.

June 15, 2026
S.C.

(Arun Kumar Singh Deshwal,J.)

Digitally signed by :-
SHUBHAM CHAURASIA
High Court of Judicature at Allahabad,
Lucknow Bench