HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - A No. - 6071 of 2026

Geetam Singh Pno- 190735430 And 2 Others

.....Petitioner(s)

Versus

State Of U.P. Thru. The Addl. Chief Secy. Home Deptt. Lko. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Sheshnath Bhardwaj Advoc
Counsel for Respondent(s)	:	C.S.C.

Court No. - 3

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the petitioners and learned Standing Counsel for the State-respondents.

Learned counsel for the petitioners submits that vide the impugned orders contained in Annexure No. 1, the petitioners have been transferred by the Additional Superintendent of Police, PAC Headquarters, U.P., Lucknow, who, lacks the jurisdiction to pass such orders.

In support of his contention, learned counsel for the petitioners has placed reliance upon the judgment of the Hon'ble Supreme Court in **Prakash Singh & Others vs. Union of India & Others,** reported in **(2006) 3 SCC (Cri) 417.** Referring to paragraph 31(5) of the said judgment, he submits that the Hon'ble Supreme Court directed the constitution of a Police Establishment Board in each State, which is vested with the authority to decide matters relating to transfers, postings, promotions, and other service-related issues concerning officers below the rank of Deputy Superintendent of Police. It is contended that the petitioners, being PAC Constables, are covered by the aforesaid directions, and therefore, no authority other than the Police Establishment Board has the jurisdiction to transfer them.

It is further submitted that all the petitioners have already been relieved pursuant to the impugned transfer orders. Petitioner Nos. 1 and 3 have also joined at their respective transferred places of posting after being relieved.

Learned Standing Counsel appearing for the State, on the basis of written instructions, has opposed the aforesaid contention. He prays for and is

granted two days' time to obtain specific written instructions in this regard.

List on 17.06.2026 as fresh.

In the meantime, in the interest of justice, it is provided that in the event petitioner No. 2 has not already joined at the transferred place of posting, he shall not be compelled to do so till the next date of listing.

June 12, 2026
Vinay/-

(Karunesh Singh Pawar,J.)

Digitally signed by :-
VINAY KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench