SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPSB/251/2025 Kapil Pandey --Petitioner **Versus** State Of Uttarakhand and others --Respondents **Hon'ble Manoj Kumar Tiwari, A.C.J.** **Hon'ble Subhash Upadhyay, J.** 1. Mr. Harshit Sanwal, Advocate, holding brief of Mr. Pankaj Kapil, learned counsel for petitioner. 2. Mr. B.S. Parihar, learned Additional C.S.C. for the State. 3. Petitioner is serving as District Employment Officer in the State. According to him, he served at Rudraprayag till 04.03.2024 and thereafter he was transferred to Dehradun, vide order dated 03.02.2024, and on 05.03.2024 he joined at the new place of posting. In this writ petition, petitioner has challenged the subsequent order dated 10.06.2025 passed by Director, Employment, whereby he was transferred from Regional Employment Office, Dehradun to Udham Singh Nagar as District Employment Officer. 4. It is contended that petitioner was transferred to Dehradun after serving for 14 long years at durgam places, therefore, his transfer to Udham Singh Nagar within a year of his transfer to Dehradun, is unsustainable. It is further contended that petitioner was not within zone of consideration for transfer. 5. Learned counsel for the State, however, submits that there is acute shortage of Officers in the department and since there are more than 500 industries in District Udham Singh Nagar, therefore, services of District

Employment Officer is urgently needed there, therefore, transfer was made in public interest and there is no element of malice or ill-will in transferring the petitioner.

6. Learned counsel for the State further submits that petitioner holds a transferable post and he is a government servant and Udham Singh Nagar is also a sugam place, therefore, petitioner's transfer to Udham Singh Nagar does not in any manner violate the provisions of Transfer Act and in fact petitioner's transfer is as per provisions of the Transfer Act.

7. Law is well settled that judicial interference with transfer of government servant has to be minimal, that too in cases where there is infraction of Rules or allegation of malice is made and substantiated. Since that is not the case here, and petitioner has been serving at Dehradun, on the strength of interim order passed by Coordinate Bench on 27.06.2025, therefore, we think that ends of justice would be met if petitioner is permitted to make representation regarding transfer to the Competent Authority. If he makes representation within three weeks from today, decision thereupon shall be taken by the Competent Authority within five months thereafter. For a period of five months or till decision is taken on the representation, whichever is later, *status quo* as regard petitioner's posting shall be maintained.

(Subhash Upadhyay, J.)
04.11.2026

(Manoj Kumar Tiwari, A.C.J.)
04.11.2026

Rajni/KK