SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	UKHC010152092022 2026:UHC:9670-DB COURT'S OR JUDGES'S ORDERS
	27.10.2026		WPSB No. 599 of 2022 **Lalit Kumar Singh** .....**Petitioner** **Vs.** **State of Uttarakhand & others** .....**Respondents** **Hon'ble Manoj Kumar Tiwari, A.C.J.** **Hon'ble Subhash Upadhyay, J.** 1. Mr. Sandeep Tiwari and Mr. Piyush Tiwari, learned counsel for the petitioner. 2. Mr. B.P.S. Mer, learned Standing Counsel for the State. 3. Petitioner has challenged stipulation made in the transfer order dated 19.09.2022 that it is passed on administrative ground. Petitioner is serving as Medical Officer in Employees State Insurance Scheme. He was transferred by Secretary, Labour Department from Employees State Insurance Dispensary, Rudrapur, Udham Singh Nagar to Employees State Insurance Scheme Dispensary, New Tehri, District Tehri Garhwal. In the impugned order, it was observed that "petitioner failed to comply with the Standing Operating Procedure for clearance of bills submitted by empanelled hospitals and also that petitioner refused to make inspection of dispensaries". 4. Learned counsel for the petitioner refers to Office Memorandum dated 20.07.2022, issued by Director, ESIS. 5. Perusal of that document reveals that SOP issued on 12.04.2022 was withdrawn due to shortage of doctors/ employees. Thus, it is contended that the charge against petitioner that he failed to follow the SOP is factually incorrect, as SOP was not in existence at the relevant point of time. 6. Regarding the other charge in the impugned transfer order, it is submitted that since petitioner had to attend more than five hundred patients each day, there was no

time left for surprise inspection of empanelled dispensaries, therefore, the other charge is also factually incorrect.

7. Learned State Counsel, however, submits that this writ petition has become infructuous inasmuch as after transfer of petitioner to New Tehri, he has been re-transferred to District Rudraprayag where he has also joined.

8. Learned counsel for the petitioner, however, submits that petitioner has not questioned his transfer, but he has questioned the remark made in transfer order.

9. Having regard to the facts and circumstances of the case, we dispose of writ petition by providing that petitioner's transfer made on 19.09.2022 shall not be treated as "on administrative ground", and it shall be deemed to be made in public interest.

10. Pending application, if any, also stands disposed of.

(Subhash Upadhyay, J.)
27.10.2026

(Manoj Kumar Tiwari, A.C.J.)
27.10.2026

NISHANT

NISHANT KUMAR