2026:AHC:209998

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 16458 of 2026

Ramesh Babu Sharma

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Ashutosh Gupta, Surya Pratap Singh
Counsel for Respondent(s) : C.S.C., Pranjal Mehrotra

Court No. - 33

HON'BLE MANISH KUMAR NIGAM, J.

1. Heard learned counsel for the petitioner, Sri Pranjal Mehrotra, learned counsel for the respondent no.2 (NHM) and learned Standing Counsel for the State-respondents.

2. The petitioner is aggrieved by the order dated 22.09.2026, whereby, the petitioner has been transferred from Community Health Centre, Aonla, to Community Health Centre, Kaudanda.

3. It is submitted by learned counsel for the petitioner that petitioner is a contractual employee and contract employee as per terms and condition, his services under circular letter dated 16.07.2011, are not liable to be transferred from the place where he has been offered contract employment.

4. Learned counsel for the petitioner has placed reliance not only circular letter dated 16.07.2011 but also the circular letter issued by Director, National Health Mission, U.P. Lucknow dated 18.8.2023 in which clear directives have been issued that such transfer should not be made. Clause 8 and 9 of the circular letter dated 16.07.2011 very clearly provides that contract employees and medical officers shall be appointed for a particular place and shall not be transferred to other places and those who do not want to work at that particular place for which contract of employment was made, their contract of employment shall be rescinded to make new appointments. Similar stand is taken under the circular letter dated 18.08.2023.

5. Taking judicial notice of the above circular letters, writ petition no. 14433 of 2023, **Salini Kumari v. State of U.P. and 3 Others**, has been allowed, vide order dated 29.08.2023.

6. Learned Standing Counsel is not able to contradict the circular letters and the order passed regarding one such contract employees in **Writ petition no. 14433 of 2023**.

7. In view of above, this writ petition succeeds and is **allowed** in terms of the order passed in **Writ A No. 14433 of 2023** and the order of transfer dated 24.08.2026 is, hereby, **quashed**. The petitioner will continue at the place where he was given contract employment and he shall be paid salary accordingly.

(Manish Kumar Nigam,J.)

October 7, 2026
Ved Prakash

Digitally signed by :-
VED PRAKASH SHARMA
High Court of Judicature at Allahabad