GAHC040003852026

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/110/2026

Gyati Kobing
Son of Shri Gyuati Tayung, residence of A Sector, Naharlagun, PO and PS Naharlagun, Papum Pare District, Arunachal Pradesh. 791111

VERSUS

The State of AP and 2 Ors
represented by the Chief Secretary, Govt of Arunachal Pradesh, Itanagar. 2:The Secretary (Cooperation)
Age: 0
Occupation :
Govt of Arunachal Pradesh
Itanagar.

3:The Registrar of Cooperative Society
Age: 0
Occupation :
Govt of Arunachal Pradesh
Naharlagun

Advocate for the Petitioner : Duyu Laji, Ojong Nitik,Rei Tapa

Advocate for the Respondent : GA (AP),

BEFORE

HON'BLE MR. JUSTICE NELSON SAILO

O R D E R

13.10.2026

Heard Mr. D. Laji, learned counsel for the petitioner and Ms. P.

Pangu, learned Government Advocate for the State.

2. By filing this writ petition, the petitioner has challenged the Release Order dated 25.02.2026 (Annexure-7), issued by the Secretary to the Government of Arunachal Pradesh, Co-operation Department, releasing him to enable him to join his place of posting at Khonsa as Deputy Registrar of Co-operative Societies (DRCS), Tirap. By the same order, the duties assigned to the petitioner in his present working station has also been distributed to the other persons mentioned in the release order.

3. The case of the petitioner is that he is working as DRCS in the Co-operation Department and was stationed in the establishment of Managing Director of Arunachal Pradesh Weavers Federation Limited with the Headquarters at Ziro. Vide order dated 13.03.2024 (Annexure-1), he was said to be transferred from the Head Office (in Naharlagun) to as DRCS, Tirap. However, according to the petitioner, at the relevant time, he was posted and stationed in Ziro. That despite the issuance of the transfer order, no release order was issued to the petitioner and vide Corrigendum dated 25.03.2025 (Annexure-4), in partial modification to the transfer order dated 13.03.2025, the working station of the petitioner was changed as Head Office instead of Tirap district.

4. In terms of the above corrigendum, the petitioner submitted his Joining Report before the Registrar of Co-operative Societies in Naharlagun on 01.04.2025 and continued to work in the said establishment. Vide order dated 04.07.2025 (Annexure-6), the petitioner was also given additional charge of DRCS, Tirap apart from his posting as Deputy Registrar-III in Naharlagun.

5. Subsequently, to the surprise of the petitioner, he was given a release order dated 25.02.2026 (Annexure-7) by which, in continuation of the earlier corrigendum dated 25.03.2025, he was released from his working station at Naharlagun on 27.02.2026 (A.M) to enable him to join his place of posting at Khonsa as DRCS, Tirap, which was issued by the same File dated 13.03.2025.

6. Aggrieved with the release order, the petitioner submitted a representation before the Secretary-cum-Registrar of Co-operative Societies on 26.02.2026 for recalling the release order dated 25.02.2026, but, as the same was not considered, the petitioner is before this Court through the instant writ petition.

7. Learned counsel for the petitioner submits that the original order dated 13.03.2024 had been modified by the corrigendum dated 25.03.2025 placing his working station in the Head Office instead of Tirap district. But, however, without issuing a transfer order, the impugned release order dated 25.02.2026 was issued asking him to join his place of posting at Khonsa as DRCS, Tirap.

8. The learned counsel submits that the petitioner has already acted upon the corrigendum dated 25.03.2025 and moved his family from Ziro to Naharlagun and has also availed the travelling allowances as admissible to bring his family and luggage to Naharlagun. He, therefore, submits that the release order dated 25.02.2026 may be set aside and the petitioner be allowed to continue with his work in the Head Office at Naharlagun in terms of the Corrigendum dated 25.03.2025.

9. Ms. P. Pangu, learned Government Advocate by referring to the

affidavit-in-opposition of the respondents submits that the petitioner was transferred from Ziro to Head Office vide order dated 18.04.2022 due to certain irregularities during his tenure as Managing Director of Arunachal Pradesh Weavers Federation. That, there is also nothing wrong in showing his place of posting as Head Office in the order dated 13.03.2025. She submits that subsequently, vide the release order dated 25.02.2026, the petitioner was asked to join his place of posting at Khonsa as DRCS, Tirap in terms of the original transfer order dated 13.03.2024. Therefore, the petitioner is only required to join his place of posting and he cannot have any such grievance and insist on remaining in the Head Office in Naharlagun.

10. Mr. D. Laji, learned counsel for the petitioner replying to the contention of the respondents in their affidavit-in-opposition, submits that no doubt the petitioner was brought down from Ziro, but the petitioner was again sent back to Ziro as the Managing Director of Arunachal Pradesh Weavers Federation Limited vide order dated 20.10.2023 issued by the Chief Secretary to the Government of Arunachal Pradesh. Therefore, the place of posting of the petitioner has been wrongly indicated in the transfer order dated 13.03.2024, which however, was later modified to the Head Office instead of Tirap district as the place of posting vide corrigendum dated 25.03.2025. Under the circumstances, the learned counsel submits that the impugned release order is not sustainable and should be set aside.

11. I have heard the submissions made by the learned counsels for the rival parties and have perused the materials available on record.

12. Facts not in dispute is that as per the order dated 13.03.2025, the

petitioner was transferred to Khonsa as DRCS, Tirap. However, his present place of posting was shown as Head Office, which is in Naharlagun. The petitioner on the other hand contends that he was stationed in Ziro and not in the Head Office at the relevant time. Be that as it may, what is relevant here is the corrigendum, which was issued on 25.03.2025, which clearly provides that the transfer order dated 13.03.2025 in so far as the petitioner is concerned is modified by stationing him in the Head Office instead of Tirap district. Accordingly, the petitioner had joined the Head Office and was given an additional charge of DRCS, Tirap as well. However, without issuing an order of transfer or a fresh order of transfer, the petitioner was released from his work station in Naharlagun on 27.02.2026 (A.M) to enable him to join his place of posting at Khonsa as DRCS, Tirap. In the release order, reference was made to the File No.13.03.2025 and 25.03.2025.

13. As already noticed, the order dated 13.03.2024 (13.03.2025) is with regard to the transfer of the petitioner as DRCS, Tirap, but the corrigendum dated 25.03.2025, which also finds a reference in the release order is a modification of the transfer order placing the petitioner in the Head Office in Naharlagun instead of Tirap district. It is also seen that there is a typographical error with regard to the order dated 13.03.2024, which actually appears to be 13.03.2025 as it was digitally signed by the authority concerned on that date.

14. Be that as it may, since the original transfer order has been modified by the corrigendum, the respondent authorities without issuing a fresh order could not have simply released him and in fact transferred him through the release order dated 25.02.2026.

15. Under the facts and circumstances, the relea se order dated 25.02.2026 (Annexure-7) is found to be not sustainable and the same is set aside. The resultant benefits in view of the setting aside of the release order, if any, may be given to the petitioner in accordance with law.

16. With the above observations and direction, the writ petition is disposed of by leaving the parties to bear their own cost.

JUDGE

Comparing Assistant