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

**Case No. : WP(C)/1503/2026**

FORCE NO. 005131273 ASI/GD SYED JULIASH HUSSAIN
S/O- LATE AFTABUDDIN AHMED, R/O- VILL- NIZ KAUR BAHA, POST OFFICE- BARGHULI, P.S.- RANGIA, DISTRICT- KAMRUP, ASSAM, PIN- 781354, PRESENTLY POSTED AT RANGE CRPF, GUWAHATI, ASSAM

VERSUS

THE UNION OF INDIA AND 4 ORS
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME AFFAIRS, NEW DELHI- 110003

2:THE DIRECTOR GENERAL
CENTRAL RESERVE POLICE FORCE

CENTRAL GOVERNMENT OFFICE COMPLEX
NEW DELHI- 110001

3:THE DEPUTY INSPECTOR GENERAL OF POLICE (ESTABLISHMENT)
DIRECTORATE GENERAL
CRPF
CENTRAL GOVERNMENT OFFICE COMPLEX
NEW DELHI- 110001

4:THE DEPUTY INSPECTOR GENERAL OF POLICE
RANGE CRPF
GUWAHATI- 781023

5:THE COMMANDANT RANGE CRPF
GUWAHATI- 78102

**Advocate for the Petitioner** : MR. D GOGOI, MS T WAPANGLA
**Advocate for the Respondent** : DY.S.G.I., MRS. R DEVI(C.G.C)

**BEFORE**
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**01.10.2026**

Heard Shri D. Gogoi, learned counsel for the petitioner. Also heard Ms. R. Devi, learned CGC representing the respondents.

**2.** The instant petition under Article 226 of the Constitution of India has been filed with the following relief:

> "*In the premises aforesaid, it is therefore most respectfully prayed that your Lordships may graciously be pleased to issue appropriate Writ, order or direction thereby to-*
>
> *I. Set aside the impugned transfer order dated 24/12/2025 which is sought to be effectuating by 1st April 2026; and further*
>
> *II. Restrain the respondents from effectuating routine transfer of the petitioner in view of the fact that he is the sole care giver to his ailing wife and his daughter; and further*
>
> *Direct the respondents, more particularly respondent No.2, The Director General, Central Reserve Police Force, New Delhi, to retain the petitioner on compassionate ground at his present place of posting or at any posting place within the home State near his family for the wellbeing of his family and also able to perform his duty diligently; and further IV. Direct the respondent authority to consider the case of the petitioner and to restrain from giving effect to the transfer order dated 24/12/2025 and/or be pleased to pass any other order/orders or directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case,*
>
> *-AND-*
>
> *IN THE INTERIM*
>
> *In the interim, it is most respectfully prayed that this Hon'ble Court would be pleased to suspend the operation of the Transfer Order dated 24/12/2025, till the disposal of the writ petition and/or be pleased to pass any other order/orders or directions that this Hon'ble may deemed fit and proper in the facts and circumstances of the case.*

**3.** As per the facts projected, the petitioner is serving as an ASI/GD at the Central Reserve Police Force (CRPF), Amerigog, Guwahati. The grievance is against an order of transfer dated 24.12.2025 whereby he has been transferred

to the 231 Battalion in the State of Chhattisgarh.

**4.** Shri Gogoi, the learned counsel for the petitioner has submitted that there are severe hardships faced by the petitioner including an anxiety disorder of his wife. He has also submitted that at the time of presenting the writ petition, there was another ground that his daughter was preparing for her NEET examination which however is over by now.

**5.** The learned counsel has however fairly submitted that taking into account the difficulties, some time was granted to the petitioner and because of the ensuing election, in the State of Assam, the transfer was put on hold till 16.05.2016. The petitioner had accordingly approached this Court and there is an interim order passed on 18.05.2026 which was operating. He has submitted that there is no proper consideration to the difficulties expressed by the petitioner as highlighted in the petition as well as the representations.

**6.** Ms. R. Devi, the learned CGC has submitted that the scope of challenging an order of transfer is absolutely limited and unless there is *mala fide* involved or violation of the statutory rules, such orders of transfer are not liable to be interfered by this Court. She has submitted that there is neither any *mala fide* alleged nor any violation of any statutory rules. She has also submitted that the case of the petitioner was duly considered and time was already granted for him.

**7.** As rightly pointed out by the learned CGC, the scope of interference with an order of transfer by a Writ Court is absolutely limited to the extent that unless there is any violation of the statutory rules or *mala fide* which is manifestly apparent, this Court would be loath to interfere to such order of transfer. It further transpires that though the transfer order was of 24.12.2025, the

petitioner, in the meantime had sufficient time. This Court is of the opinion that the grounds cited may not be sufficient to interfere with an order of transfer which is an incidence of service.

**8.** This Court is accordingly not inclined to accept the contentions advanced in the writ petition and accordingly the same is dismissed.

**9**. This Court however directs the authorities to permit the petitioner a further period of 15 days from today to make the movement. It is needless to state that the petitioner be afforded reasonable opportunity for treatment of his wife for the ailment which has been projected in the writ petition at his new place of posting.

**10**. Writ petition accordingly stands disposed of.

**JUDGE**

**Comparing Assistant**