2026:AHC:212252

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 16751 of 2026

Atal Bihari

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kailash Prakash Pandey
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE MANISH KUMAR NIGAM, J.

1. This writ petition has been filed challenging the transfer order dated 31.05.2026 passed by respondent No.2 as well as consequential order dated 03.09.2026 passed by respondent No.3.

3. Learned counsel for the petitioner relied upon the judgment of this Court in **Writ A No.4494 of 2026 (Shashi Prakash Tripathi vs. State of U.P. and two others), decided on 1.4.2026** and submitted that once an order of transfer is passed, the transferred employee is to be relieved within a period of seven days. It has been further submitted that in case of **Shashi Prakash Tripathi (Supra),** this Court relying upon the judgment passed in Special Appeal No.481 of 2024 decided on 14.5.2024, has quashed the order of transfer as well as the relieving order.

4. Learned Standing Counsel though opposed the writ petition but could not deny the legal position and has submitted that after the relieving, petitioner has joined the place of posting.

5. The case is squarely covered by judgment of this Court in **Shashi Prakash Tripathi (Supra)** and in view thereof, the impugned transfer order dated 31.05.2026 passed by respondent No.2 so far as the same relates to petitioner and the consequential order dated 03.09.2026 are hereby quashed and the writ petition is allowed accordingly. However, this order will not be an impediment for the respondents to pass fresh order of transfer, if they so desire, in accordance with law.

October 9, 2026
Nitika Sri.

(Manish Kumar Nigam,J.)

Digitally signed by :-
NITIKA SRIVASTAVA
High Court of Judicature at Allahabad