



2025:UHC:769-DB

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE MR. G. NARENDAR

AND

THE HON'BLE JUSTICE MR. ASHISH NAITHANI

11TH FEBRUARY, 2025

Writ Petition (S/B) No.570 OF 2024

Rakesh Kumar Petitioner

Vs.

State of Uttarakhand and others Respondents

With

Writ Petition (S/B) No.369 OF 2023

Rakesh Kumar Petitioner

Vs.

State of Uttarakhand and others Respondents

Present: -

Mr. Abhijay Negi and Ms. Snigdha Tiwari, learned counsel for the petitioner.

Mr. K. N. Joshi, learned Deputy Advocate General along with Ms. Rajni Supyal, learned Brief Holder for the State.

Mr. Shobhit Saharia, learned counsel for the private respondent.

JUDGMENT: (per Mr. G. Narendar C.J.)

Heard learned counsel for the petitioner,
learned counsel for the State and learned counsel for
the private respondent/Corporation.

2. After arguing for some time, on the
suggestion of the Court, learned counsel for the
petitioner has sought telephonic instructions from his



client, and he would submit before this Court that the petitioner has opted to remain in Kaladhungi, to where he has now been posted by way of order dated 05.02.2025 pursuant to the representation submitted by the petitioner.

3. In that view of the matter, both the writ petitions are disposed-off by permitting the petitioner to remain posted at Kaladhungi, to which place he has been transferred under the order dated 05.02.2025.

4. Be that as it may, a transfer has far more effects, which can be onerous both financially and otherwise too. It is not forthcoming as to whether the Corporation has any guidelines in respect of transfer of its employees.

5. This Court is of the considered opinion that it would be appropriate to direct the Corporation to frame transfer guidelines, probably in consonance with the Uttarakhand Annual Transfers for Public Servants Act, 2017, otherwise there is every possibility that orders of transfers could be challenged on the ground of arbitrariness or unreasonableness.

6. In that view of the matter, it would be appropriate that the Corporation comes up with the



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transfer guidelines within three months from the date of receipt of a copy of this order, and those guidelines be submitted before this Court on or before 02.06.2025 to report compliance.

7. Pending application, if any, stands disposed of.

(G. NARENDAR, C.J.)

(ASHISH NAITHANI, J.)

Dated: 11.02.2025

BS/SB