



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 13th OF OCTOBER, 2025

WRIT PETITION No. 40520 of 2025

ZEENT PARWEEN QURESHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Ms.Dixita Gupta learned counsel for the petitioner.

Shri Sudarshan Joshi learned counsel for the respondent/state.
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ORDER

This is second round of the petitioner. Earlier the petitioner filed WP No.23633/2025 challenging the transfer order dated 06.06.2025 from GHSS Girls Adarsh Khachrod District Ujjain to GHSS Ambodiya, District Ujjain.

The said petition was disposed with a direction to the petitioner to file a fresh representation and the competent authority was directed to decide the same.

In compliance to the said order, the petitioner filed the representation and the competent authority passed the order dated 23.09.2025 rejecting the representation of the petitioner on the ground that the petitioner has been transferred on administrative grounds.

The petitioner is holding a post of state cadre and the petitioner has been transferred within the district and the order does not seem to be in violation of the transfer policy.



Learned counsel for the petitioner argued that the petitioner has been transferred to a place which is 70 km away from her hometown. It is further argued that the post from where the petitioner has been transferred has no teacher in Physics and where the petitioner has been transferred already has two teachers in Physics.

After hearing learned counsel for the parties, this Court finds that there is no merit in the contention of the petitioner. The petitioner has already remained at the present place of posting since 2019 and the petitioner has been transferred on administrative grounds. It is for the employer to see who is posted on which place and an employee cannot claim that he should be posted where.

The scope of interference in the transfer matter under Article 226 of the Constitution of India is no longer *res integra*, as held by the Supreme Court in the cases of *Gujarat Electricity Board and another vs. Atmaram Sungomal Poshani*, (1989) 2 SCC 602; *Union of India and others vs. S.L. Abbas*, AIR 1993 SC 2444 and the judgment passed by the Division Bench of this Court in the case of *R.S. Choudhary vs. State of M.P. and others*, 2007(2) ILR MP Series 1329, the transfer is an incidence of service and the transfer order can only be interfered by the Courts of law if the transfer is issued in violation of the statutory rules or the order suffers from malafide exercise of power.

In view of the aforesaid, no case is made out for interference under Article 226 of the Constitution of India.

Accordingly, the petition is hereby dismissed.



At this stage, learned counsel for the petitioner submits that the petitioner is not a married lady and she has personal difficulties with the transfer order.

Considering the same, in case if the petitioner joins at the transferred place and thereafter submits a representation for modification of the transfer order, the competent authority may consider the same sympathetically.

(VIJAY KUMAR SHUKLA)
JUDGE

Sourabh