

GAHC040004892026



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

Case No. : WP(C)/153/2026

Bijoy Pertin

Son of Shri Dana Pertin, resident of Pasighat, PO and PS Pasighat, Est Siang District, Arunachal Pradesh, currently posted at DFCSO, Pasihgat, East Siang District, Arunachal Pradesh.

VERSUS

The State of AP and 3 Ors

through the Chief Secretary, Govt of Arunachal Pradesh, Itanagar. 2:The Secretary

Age: 0

Occupation :

Food and Civil Supplies

Govt of Arunachal Pradesh

Itanagar.

3:The Director

Age: 0

Occupation :

Food and Civil Supplies

Govt of Arunachal Pradesh

Itanagar.

4:Dana Yirang

Age: 0

Occupation :

Son of Late Maklung Yirang

permanent resident of Ruksin

East Siang District

Arunachal Pradesh

current address C/o SDFCSO

Anini

Dibang Valley District

Arunachal Pradesh 79210

Advocate for the Petitioner : Muk Pertin, Senior Advocate, Dakjum Riba,Mukbang Pertin,Takom Pabin,Tshering Yangzom Bhutia,Mukbom Pertin,Rimo Riba,Karyom Dabi

Advocate for the Respondent : GA (AP), SC (Food and Civil Supplies Department),Tagum Jamoh

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

ORDER

Date : 07.04.2026

Heard Shri M. Pertin, learned Senior Counsel assisted by Shri Mukbang Pertin, learned counsel for the petitioner.

2. The petitioner has put to challenge an order dated 19.03.2026, whereby he has been transferred from Pasighat to Roing. The petitioner is holding the post of District Food & Civil Supplies Officer (DFCSO).

3. The primary ground of challenge, as contended by the learned Senior Counsel, is that the petitioner has been sought to be replaced by the respondent no.4, who is holding the substantive post of Sub-Divisional Food & Civil Supplies Officer (SDFCSO). It is submitted that these two posts are of different cadres and the petitioner is holding a post in a higher cadre and is also the senior-most in the said cadre. It is further submitted that the transfer has been sought to be done on the basis of a recommendation of political persons.

4. Let notice be issued, returnable on 05.05.2026.

5. Ms. T. Wangmo, learned State Counsel, accepts notice on behalf of

respondent no.1, while Shri T. Jamoh, learned Standing Counsel for the Food and Civil Supplies Department, accepts notice on behalf of respondent nos.2 and 3.

6. Requisite extra copies of the writ petition be furnished to them within 2 (two) working days.

7. Let steps be taken for service of notice upon respondent no.4 by Speed Post with A/D. Steps shall be taken within 2 (two) working days from today.

8. Shri Pertin, learned Senior Counsel for the petitioner, prays for an interim order.

9. The submissions advanced in support of the prayer for interim order have already been recorded hereinabove. This Court has, however, been informed that out of the 29 districts of Arunachal Pradesh, there are 18 sanctioned posts of District Food & Civil Supplies Officer (DFCSO). The impugned order also clearly reflects that the respondent no.4, though holding the substantive post of Sub-Divisional Food & Civil Supplies Officer (SDFCSO), was already working as In-charge DFCSO, Anini.

10. This Court has also been informed by Shri Jamoh, learned Standing Counsel, that the petitioner has been posted at Pasighat for the last 14 years and the respondent no.4 has also completed 3 years at Anini.

11. The recommendation made by the political persons have also been carefully perused, which appear to have been made about a year ago and therefore, will not be relevant. The issue of seniority in the respective cadres would also not be a relevant factor.

12. Under those circumstances, this Court is not inclined to pass any interim

order.

13. List the matter on 05.05.2026.

JUDGE

Comparing Assistant