



2026:CGHC:3470



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 479 of 2026**

1 - Indrapal Mandavi S/o Shri Ramadhin Mandavi Aged About 61 Years Posted As Executive Engineer, Public Health Engineering Division Sakti, Bus Stand Main Road, Portha, Sakti, District Sakti C.G.

... Petitioner**Versus**

1 - State Of Chhattisgarh Through Secretary, Public Health Engineering Department, Raipur, District Raipur C.G.

2 - Engineer-In-Chief, Public Health Engineering Department, Raipur, District Raipur C.G.

3 - Chief Engineer, Public Health Engineering Department, Bilaspur Division, Bilaspur, District Bilaspur C.G.

4 - Superintendent Engineer Public Health Engineering Department, Bilaspur Board, Bilaspur, District Bilaspur C.G.

5 - Co-Ordinator-Cum-Secretary, State Level Co-Ordination Committee (Transfer Redressal Committee), General Administration Department, Raipur, District Raipur C.G.

6 - Sukrant Sahu Posted As Executive Engineer, Block Office, Public Health Engineering Department, Gandai, District Khairagarh-Chhuikhadan-Gandai C.G.

... Respondents

For Petitioner	:	Mr. Anup Mazumdar, Advocate
For Respondents/State	:	Ms. Anuja Sharma, Dy. Government Advocate
For Respondent No. 6	:	Mr. Pravin Tulsiyan, Advocate

SB: Hon'ble Shri Parth Prateem Sahu, Judge**ORDER ON BOARD**



20/01/2026

1. The petitioner has filed this writ petition seeking following reliefs:-

"10.1 That, the Hon'ble Court may kindly be pleased to call for records pertaining to the service of petitioner, in the interest of justice.

10.2 That, this Hon'ble Court may kindly be pleased to set-aside the impugned transfer order dated 09.01.2026, in the interest of justice.

10.3 That, the Hon'ble Court may kindly be pleased to direct the respondent authorities to allow the petitioner to be posted as Executive Engineer, Block Office – Sakti, District – Sakti, in the interest of justice.

10.4 That any other relief which this Hon'ble Court may deem fit and just in the facts and circumstances of the case."

2. Learned counsel for the petitioner submits that the petitioner is holding the post of Executive Engineer (Civil) and is posted at the Office of Executive Engineer, Public Health and Engineering Department, Sakti, District – Sakti. Pursuant to the transfer order dated 09.01.2026 (Annexure P/1) petitioner has been transferred to the Office of Chief Executive Officer, Jagdalpur, District – Jagdalpur. He contended that only 07 months are remaining for the petitioner to attain the age of superannuation and retire from the services and according to the Transfer Policy, the employees who are remaining less than 01 year of service to attain the age of superannuation is not to be transferred. In this regard, he referred to Clause 3.12 of the Transfer Policy. He also submits that according to Clause 3.10, the employee who have not completed 02 years of service is also not to be considered for transfer ordinarily.
3. He also contended that the petitioner is also suffering with cardiac disease and is taking treatment from Appollo Hospital, Bilaspur. Looking to the nature of disease being suffered by the petitioner, proper medical facilities may not be available at the transferred place of posting. Petitioner has also submitted representation to the Respondent No.



1/Secretary on 12.01.2026 which is pending consideration and therefore, he submits that direction may be issued to the Respondent No. 1 to consider and take decision on the representation submitted by the petitioner and till decision, is taken by the committee or the concerned authority on the representation, petitioner may be permitted to work at the present place of posting.

4. On the other hand, learned counsel for the Respondents/State opposes the submission of counsel for the petitioner and would submit that the transfer of the petitioner is on administrative grounds. She however, do not dispute the submission of counsel for the petitioner on Clause 3.12 of the Transfer Policy and the period of service of petitioner remaining to be less than 01 year. However, she submits that as the petitioner has already submitted representation before the Respondent No. 1, it will be considered and decided in accordance with law.
5. Learned counsel for the Respondent No. 6 would vehemently oppose the submission of counsel for the petitioner and would submit that, it is because of the order of transfer dated 09.01.2026 (Annexure P/1), the Respondent No. 6 has been transferred to the place of the petitioner. The Respondent No. 6 is now relieved and also joined the transferred place on 12.01.2026. He further submits that the petitioner is also relieved from Sakti and therefore, no interim relief as prayed for can be granted to the petitioner.
6. At this stage, learned counsel for the petitioner raised an objection to the submission of counsel for the petitioner with regard to the relieving of the petitioner. He submits that the petitioner is on leave and till date, he has not been served with the letter of relieving, nor in the letter dated 15.01.2026, there is mention that the petitioner was issued with any relieving order. The only observation to the petitioner was to join the



transferred place of posting. He also submits that the petitioner till date has not handed over the charge of the place of posting i.e. Sakti.

7. I have heard learned counsel for the parties and perused the documents placed on record.
8. On due consideration of the submission of counsel for the respective parties, facts and circumstances of the case, nature of grievance raised by the petitioner in particular considering Clause 3.12 of the Transfer Policy where there is specific mention that the employees who are remaining less 01 year of service are ordinarily not put to transfer. Petitioner has already submitted representation dated 12.01.2026 before the Respondent No. 1/Secretary for cancellation of his transfer and further considering that the petitioner was not served with the relieving order nor he has handed-over the charge, this writ petition is disposed of at this stage directing the Respondent No. 1 to consider and take decision on the pending representation submitted by the petitioner in accordance with law expeditiously, preferably within a further period of 04 weeks from the date of receipt of the order.
9. It is further directed that till decision is taken on the representation of the petitioner dated 12.01.2026 (Annexure P/6), the petitioner shall be permitted to work at the earlier place of posting at District – Sakti. It is for the petitioner as also, for the counsel for the Respondent/State to inform the authorities about the order passed by this Court for further action.
10. With the aforesaid observation and direction, this writ petition stands **disposed of.**

Sd/-
(Parth Prateem Sahu)
Judge