



2026:CGHC:9197-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 171 of 2026**

Ramesh Kumar Ghosle S/o Late Falit Ram, Aged About 49 Years
Working As Assistant Veterinary Fiedl Officer (Avfo) And Posted At Out
Line Dispensary Parsiya, Block Pathariya District Mungeli (C.G.)

... Appellant(s)**versus**

1 - State Of Chhattisgarh Through Secretary, Department Of Animal
Husbandry And Development, Mahanadi Bhawan, Mantralaya, Atal
Nagar, New Raipur, District Raipur C.G.

2 - Director, At Office Of Animal Husbandry Development Indravati
Bhawan, Naya Raipur, Atal Nagar, District Raipur C.G.

3 - Deputy Director, Animal Husbandry Services Mungeli, District
Mungeli C.G.

4 - Collector, Mungeli, District Mungeli, C.G.

5 - Transfer Committee, State Of Chhattisgarh General Administration
Department, And Member Secretary Senior Secretaries Atal Nagar
Raipur Mahanadi Bhawan, Naya Raipur District Raipur C.G.

... Respondent(s)

For Appellant(s) : Mr. Ravipal Maheshwari, Advocate

For Respondent(s) : Mr. Prasoon Bhaduri, Dy.A.G.



Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

23.02.2026

1. Heard Mr. Ravipal Maheshwari, learned counsel for the appellant.
Also heard Mr. Prasoon Bhaduri, learned Deputy Advocate General for respondents / State.
2. The appellant has filed this writ appeal against the order dated 14.01.2026 passed by the learned Single Judge in Writ Petition (S). No. 312/2026 (***Ramesh Kumar Ghosle vs. State of Chhattisgarh and others***) whereby the learned Single Judge has dismissed the writ petition filed by the writ petitioner / appellant herein.
3. Brief facts of the case are that the appellant was initially appointed as an Attendant vide order dated 13.10.2003 and was subsequently promoted to the post of Assistant Veterinary Field Officer (AVFO) in the year 2018, thereafter being posted at Out Line Dispensary, Parsiya, Block Pathariya, District Mungeli (C.G.), where she has been discharging her duties sincerely and without any complaint. Subsequently, vide transfer order dated 08.01.2025 issued by Respondent No. 1, she was transferred from Out Line Dispensary, Sanwa, Block Pathariya, District Mungeli (C.G.) to Artificial Insemination Centre, Jashpur, District Jashpur (C.G.), despite the fact that she was never posted at Out Line Dispensary,



Sanwa, rendering the impugned transfer order factually incorrect and unsustainable. Aggrieved thereby, she submitted a representation seeking cancellation of the transfer on the ground of her physical handicap in light of the circular dated 30.08.2010 issued by the Secretary, however, no decision was taken. The petitioner then preferred W.P.(S) No. 7559/2025 before this Court, which, vide order dated 25.07.2025, directed the concerned authorities to decide her representation within two weeks, but the said direction was not complied with. Thereafter, Respondent No. 3 relieved her by order dated 15.12.2025, which was challenged in W.P.S. No. 14143/2025, wherein the State counsel for the first time informed that her representation had been rejected on 15.12.2025, and the petition was disposed of on 06.01.2026 granting liberty to challenge the rejection order. Consequently, the petitioner filed W.P.(S) No. 312/2026, however, the same was dismissed vide impugned order dated 14.01.2026 without proper consideration of the material available on record, giving rise to the present appeal/petition.

4. Learned counsel for the appellant submits that the impugned order passed by the learned Single Judge is wholly illegal, erroneous and contrary to settled principles of law and is therefore liable to be set aside, as the appellant has challenged the transfer order dated 08.01.2025 primarily on humanitarian and mercy grounds arising out of his 50% permanent physical disability of the lower limb, which causes serious difficulty in travelling long distances,



climbing, using basic facilities and performing strenuous field duties attached to the post of Veterinary Field Officer, particularly in a tribal and geographically distant area like Artificial Insemination Centre, Jashpur, District Jashpur (C.G.), situated about 400 km away from his present place of posting. Such transfer is in clear violation of the Disability Rules, 2023 and circular dated 30.08.2010, which mandate preferential posting of physically handicapped employees within their home district and provision of suitable facilities, and is also contrary to Clause 1.6 of the Transfer Policy, 2022. It is further submitted that the appellant was never posted at Out Line Dispensary, Sanwa, Block Pathariya, District Mungeli (C.G.), yet the transfer order reflects the said place, rendering the very foundation of the order factually incorrect and unsustainable. Moreover, the committee rejected the representation by wrongly applying the Transfer Policy of 2025, though the transfer order was issued on 08.01.2025 prior to the policy dated 05.06.2025. Learned counsel further contends that similarly situated employees have been granted relief by this Hon'ble Court in W.P.S. No. 4009/2020, and the appellant seeks parity on identical grounds, despite repeated representations and assurances by the department, and despite availability of several vacant posts within nearer districts, the appellant was relieved belatedly on 15.12.2025, after being paid salary till November 2025, which action is arbitrary, discriminatory and violative of the circular dated 30.08.2010. It is lastly submitted that even though



the appellant is presently performing duties at the transferred place, the impugned order suffers from non-consideration of material facts and binding policy provisions, warranting interference by this Court.

5. On the other hand, learned counsel for respondents opposes the submissions made by the learned counsel for the appellant and submits that the learned Single Judge after considering all the aspects of the matter has rightly dismissed the writ petition filed by the writ petitioner / appellant herein, in which no interference is called for.
6. We have heard learned counsel for the appellants and perused the impugned order and other documents appended with writ appeal.
7. On perusal of the impugned order, it reveals that the learned Single Judge has considered the submissions advanced on behalf of the petitioner with reference to Clause 2.8 of the Transfer Policy, 2022 and observed that the said clause merely provides that, as far as possible, a physically challenged employee should be posted at a place having suitable conveyance facilities, and that no specific pleading was made by the petitioner demonstrating that the transferred place, i.e., District Jashpur, lacks convenient transportation facilities. The learned Judge further recorded that the petitioner has been transferred to a district headquarters and not to any remote interior location. It was also observed that the Circular dated 30.08.2010, relied upon by the petitioner, applies to



district cadre Class-III and Class-IV employees. Although the petitioner is a Class-III employee, he is holding a State cadre post and therefore the said circular was held to be inapplicable. Additionally, the Court noted that the petitioner has remained posted in his home district since 2003 for more than 20 years. In view of these findings, the learned Single Judge concluded that no case for interference was made out and accordingly dismissed the writ petition as being devoid of merits.

8. Considering the submissions made by the learned counsel appearing for the parties and upon perusing the impugned order, we notice that the same has been rendered by the learned Single Judge with cogent and justifiable reasons. In an intra-court appeal, no interference is usually warranted unless palpable infirmities are noticed on a plain reading of the impugned order. In the facts and circumstances of the instant case, on a plain reading of order, we do not notice any such palpable infirmities or perversities, as such we are not inclined to interfere with the impugned order.
9. Accordingly, the writ appeal being devoid of merit is liable to be and is hereby **dismissed**. No cost(s).

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice

Manpreet