



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2003 of 2026

Indrapal Mandavi **versus** State Of Chhattisgarh

Order Sheet

26/02/2026	Mr. Anup Majumdar, Counsel for the petitioner. Heard. Issue notice to the respondents. Ms. Shailja Shukla, G.A. and Mr. Abdul Wahab Khan, accepts notice on behalf of the respective respondents. Hence, PF is not required to be paid. Counsel for the respective respondents prays for and is granted a week's time to file reply. Heard I.A. No. 1 of 2026S, an application for grant of interim relief. Counsel for the petitioner submits that petitioner is holding the post of Executive Engineer, aged about 61

	years and is due to retire on 31.08.2026. Petitioner was transferred vide order dated 09.01.2026. Petitioner finding that the order of transfer is in contravention of the transfer policy issued by the State Government, wherein, it is specifically mentioned that the persons who are due to retire within one year are not to be transferred, and further that the employee who had not completed two years in place of posting are not be transferred have transferred the petitioner. He contended that the petitioner had jointed the present place of posting only on 21.08.2024 and therefore, on the date of issuance of the order of transfer Annexure-P/1, two years have not been completed. Earlier petitioner has filed writ petition challenging the order of transfer, however, considering the grounds raised therein, in particular the Clause 3.12 and 3.10 of the transfer policy as also the fact that the petitioner is suffering with the medical ailment and taking treatment at Appollo Hospital, Bilaspur has disposed of the writ petition directing the respondents to take decision on the representation submitted by the petitioner. The respondent authorities have not taken into consideration the grounds taken in the representation and also discussed in the order dated 20.01.2026 in WPS No.
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479 of 2026 have dismissed the representation observing that some recovery is pending against the petitioner and till date the amount as mentioned in the order has not been recovered, that could not be the ground for rejecting the representation when the specific pleading has been made by the petitioner in the representation and also discussed in the earlier order. Counsel for the petitioner submits that petitioner has not handed over the charge, thereby petitioner is not relieved from the present place of posting.

Counsel for the respondent-State submits that she will file reply to this writ petition and also the application for transfer and prays for a week's time.

Counsel for the respondent No. 8 submits that Collector has handed over the charge to the respondent No. 8. He also submits that to his place some other employee has been posted and taken charge.

At this stage, counsel for the petitioner submits that the order rejecting the representation dated 16.02.2026 and the document which is of handing over the charge within order under the signature of the Collector. The order/decision on representation is not marked to the Collector nor to the respondent No. 8 but on very next day

Saurabh	Collector issued an order of handing charge to respondent No. 8 which is malafide. There is no order of the superior authority of the department for relieving of petitioner and handing of charge. On due consideration of submissions of counsel for the parties, the respondents are directed to permit the petitioner to continue in the present place of posting, till the next date of hearing. At this stage, counsel for the State submits that due to Holi Festival there may be holidays for three days, therefore, this case may be taken up for hearing in the week commencing 16th March, 2026. As submitted by counsel for the State, list this case in the week commencing 16th March, 2026. Sd/- (Parth Prateem Sahu) Judge
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