



2026:CGHC:14982

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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 2920 of 2026**

1 - Sanjay Kumar Jaiswal S/o Shri Ramadhar Jaiswal Aged About 49 Years Presently Posted As Sub-Divisional Officer (Assistant Engineer), Rural Engineering Service, Sub-Division Fingeshwar, District Gariaband, C.G., R/o Panchram Colony, Pendra, District- Gaurela-Pendra-Marwahi, C.G.

--- **Petitioner(s)****versus**

1 - State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur, C.G.

2 - The Development Commissioner Rural Engineering Service, Vikas Bhawan, Sector-19, Nava Raipur, Atal Nagar, District Raipur, C.G.

3 - The Executive Engineer Rural Engineering Service, Division Gariaband, District- Gariaband, C.G.

4 - Shri Limesh Kumar Sahu S/o Shri Manharan Lal Sahu Assistant Engineer, Rural Engineering Service, Sub- Division Fingeshwar, District Gariaband, C.G.

--- **Respondent(s)**

(Cause title is taken from CIS system)

For Petitioner	: Mr. Shantam Awasthi, Advocate
For Respondents/State	: Ms. Anuja Sharma, Dy.G.A

Hon'ble Shri Justice Parth Prateem Sahu**Order On Board****01/04/2026**

1. Petitioner has filed this petition seeking following relief (s) :-

“10.1 Kindly, issue an appropriate writ, order or direction quashing Order No. ESTB-2/66/2026-P&RD dated 11.03.2026 issued by the Under Secretary, Government of Chhattisgarh, Department of Panchayat and Rural Development, Mahanadi Bhawan, Nava



Raipur Atal Nagar, whereby the petitioner has been transferred from Sub-Division Fingeshwar, District Gariaband, to Sub-Division Antagarh, District Kanker;

10.II. Kindly, issue an appropriate writ, order or direction quashing the connected administrative action/order bearing No. ESTB/102/102/2026-P&RD dated 30.01.2026, insofar as the same concerns posting of Respondent No. 4 at Sub-Division Fingeshwar to the prejudice of the petitioner;

10.III. Kindly, issue an appropriate writ, order or direction commanding the respondents to permit the petitioner to continue at his present place of posting at Sub-Division Fingeshwar, District Gariaband, with all consequential service benefits;

10.IV. In the alternative, kindly, direct the respondents to consider and post the petitioner at any suitable non-scheduled area station in accordance with the Circular/Policy dated 03.06.2015 and the Transfer Policy dated 05.06.2025, keeping in view the petitioner's long prior tenure in scheduled areas, the board examinations of his daughter, and the medical condition of his aged father;

10.V. Kindly, pass any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, including the cost of this petition.

2. Learned counsel for petitioner submits that petitioner, who has joined present place of posting on 01.07.2024 has again been transferred vide order dated 11.03.2026 within a period of less than two years. According to transfer policy, employees, who have completed three years of service are only to be considered for their transfer, therefore, the impugned order of transfer is bad in law.



3. Learned State counsel opposes the submission of learned counsel for petitioner and would submit that in the transfer policy itself, the mechanism is provided for submitting representation by the aggrieved employee against their transfer. She submits that from perusal of the documents annexed along with petition it is not appearing that petitioner has submitted any representation before the Committee constituted under transfer policy.
4. At this stage, learned counsel for petitioner submits that though representation has been submitted by petitioner before respondent No.1, however, petitioner has not submitted any representation before the Committee constituted under transfer policy, therefore, permission may be granted to petitioner to submit representation before the Committee and direction be issued to the concerned Committee to consider and take decision at the earliest.
5. On due consideration on the submission of learned counsel for parties, this writ petition at this stage is disposed of permitting petitioner to submit representation before the Committee constituted under transfer policy and if such representation is submitted, the concerned Committee shall consider and take decision on the same in accordance with law expeditiously preferably within further period of three weeks from the date of receipt of representation.
6. With the aforesaid observations and directions, this petition stands disposed of.

Sd/-
(Parth Prateem Sahu)
Judge