



2026:CGHC:37687



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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 11487 of 2025

1 - Umesh Kumar Namdev S/o Ghasi Ram Namdev Aged About 54 Years Senior Sanitary Inspector, Nagar Nigam Raipur, Dist. Raipur, C.G.

--- **Petitioner**

versus

1 - State Of Chhattisgarh Through - Principal Secretary Urban Development, Mahanadi Bhavan, Atal Nagar, Nawa Raipur, Dist.- Raipur, C.G.

2 - Nagar Nigam Raipur Through - Commissioner, Dist.- Raipur, C.G.

--- **Respondents**

WPS No. 11589 of 2025

1 - Pradeep Yadav S/o Ram Mani Yadav Aged About 45 Years Working As Executive Engineer At Municipal Corporation, Raipur, District Raipur (C.G.)

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralay, Atal Nagar Raipur, District Raipur (C.G.)

2 - The Commissioner Municipal Corporation Raipur District Raipur (C.G.)

3 - The Commissioner Municipal Corporation Raigarh District Raigarh (C.G.)



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--- Respondents

WPS No. 11508 of 2025

1 - Goyal Singh Vimal S/o Shri B.R. Vimal Aged About 32 Years Presently Posted As Sub Engineer, Municipal Corporation Korba, Korba, District : Korba, Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, Raipur, District : Raipur, Chhattisgarh

2 - Under Secretary Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, Raipur, District : Raipur, Chhattisgarh

3 - Director Directorate Of Urban Administration And Development, Indrawati Bhawan, Atal Nagar, Nava Raipur, District : Raipur, Chhattisgarh

4 - Municipal Corporation Korba Through Its Commissioner, Municipal Corporation Korba, Korba, District : Korba, Chhattisgarh

5 - Municipal Corporation Jagdalpur Through Its Commissioner, Municipal Corporation Jagdalpur, District Jagdalpur Chhattisgarh

--- Respondents

WPS No. 11954 of 2025

1 - Sanjay Sharma S/o Shri Jagdish Prasad Sharma Aged About 58 Years R/o H. No. 1548, Street No. 36, Vivekanand Colony, Shanti Nagar, Supela, Bhilai, S.O. Distt. Durg, Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Urban Administration And Development Department), Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh



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2 - Commissioner, Nagar Palik Nigam, Korba District Korba, Chhattisgarh

3 - Commissioner, Nagar Palik Nigam, Bhilai District Durg, Chhattisgarh

--- Respondents

WPS No. 11523 of 2025

1 - Roshan Dev Ratre S/o Kamdas Mandal Ratre Aged About 52 Years Working As Sub Engineer And Posted At Zone No. 04, Municipal Corporation Raipur, District Raipur C.G.

---Petitioner

Versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur C.G.

2 - Director, Directorate Of Urban Administration And Development, Atal Nagar, Naya Raipur, District Raipur C.G.

3 - Collector, Raipur, District Raipur C.G.

4 - Commissioner Municipal Corporation Raipur, District Raipur C.G.

--- Respondents

WPS No. 11786 of 2025

1 - Santosh Verma S/o Late Shri Shiv Babu Aged About 47 Years Workig On The Post Of Revenue Sub Inspector At The Municipal Corporation Raipur, District- Raipur (C.G.)

---Petitioner

Versus

1 - State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)

2 - Under Secretary Urban Administration And Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)



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3 - Municipal Corporation Raipur Through Its Commissioner, District-Raipur (C.G.)

--- Respondents

WPS No. 12058 of 2025

1 - Smt. Archana Gupta D/o Late Mohan Prasad Gupta Aged About 39 Years Working As Sub-Engineer, Nagar Palika Parishad, Surajpur, District - Surajpur (C.G.)

---Petitioner

Versus

1 - State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District - Raipur (C.G.)

2 - The Chief Municipal Officer Nagar Palika Parishad, Surajpur, District - Surajpur (C.G.)

3 - Ranjeet Kumar Barua Posted As Sub-Engineer, Nagar Palika Nigam, Raipur, District - Raipur (C.G.)

... Respondents

For Respective Petitioners : Mr. T.K. Jha, Senior counsel with Tapan Kumar Chandra along with Mr. Virendra Kashyap, Mr. Pankaj Singh with Ms. Poulini Das, Mr. Vikas Dubey, Mr. Yashraj Verma, Advocates.

For State : Mr. Suyashdhar Badgaiyan, G.A.

For Respective Respondents : Mr. Pankaj Agrawal, Advocate with Mr. D.K. Wankhede, Mr. Saumya Kesharwani, Advocate on behalf of Dr. Sudeep Agrawal, Mr. Bennoon, Advocates.

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

21/08/2026

1. Since common facts and grounds involved in all these petitions, they are being considered and decided by this common order.



2. Learned counsel for the petitioners would submit that all the petitioners are the employees of the different Municipal Corporations and they have been transferred from one Municipal Corporation to another. The said transfers of the employees to another Municipal Corporation is not permissible under Section 58(5) & (6) of the Municipal Corporation Act. Learned counsel further submits that issues involved in the present petitions have already been considered and decided by this Court in an identical matter i.e. **WPS No.5385/2026 (Mohammad Wasim Khan Vs. State of C.G. & Ors)**, decided on **16/07/2026**. They further submitted that since the facts and issue involved in the present case is identical to that of **WPS No.5385/2026**, these writ petitions may also be disposed of in the same terms.
3. On the other hand, learned counsel for the respondents submits that present writ petitions are without any substance, deserves to be dismissed and there is no violation of Section 58(5) & (6) of the Chhattisgarh Municipal Corporation Act, 1956.
4. I have heard learned counsel for the parties, perused the pleadings and documents.
5. Having considered the submissions made by learned counsel for the parties and having gone through the materials on record, it is evident that the facts and issue involved in these petitions are identical to **WPS No.5385/2026**, this Court deems



it appropriate to dispose of the instant petitions in similar terms of the order dated **16/07/2026** passed in **WPS No.5385/2026**.

In the said decision, this Court observed thus:-

“6. On conscious appreciation of the grounds raised by the petitioner with respect to Section 58 (5) and Section 58 (6) of the Act of 1956, transfer can be made only on deputation or having taken lien, whereas in the present case, the order impugned is purely a transfer order. Hence on this ground alone, transfer of the petitioner is contrary to the provisions of the Act 1956. Transfer order passed by respondent shows that it was neither a deputation order nor a lien, as such, transfer order passed in respect of petitioner cannot be said to be in accordance with law

7. Accordingly, the writ petition is allowed. Impugned order 11.07.2026, (Annexure P/1), in respect of the petitioner is hereby quashed. However, liberty is reserved in favour of the State/respondents that, if they so desire or if any administrative exigency so requires, they may send the petitioner on deputation in accordance with the provisions of the Act of 1956”

6. Accordingly, the present writ petitions are **allowed** in terms of the order dated **16/07/2026** passed in **WPS No.5385/2026** **(Mohammad Wasim Khan Vs. State of C.G. & Ors)**.



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7. Since, the petitioners have filed the present writ petitions claiming themselves to be employees of the Municipal Corporation, the State is at liberty to verify the said fact. In the event that, upon verification, any petitioner is found not to be an employee of the Municipal Corporation, the State shall be at liberty to initiate appropriate departmental action against such petitioner for filing a false affidavit claiming to be an employee of the Municipal Corporation.

SD/-

(Bibhu Datta Guru)
Judge

Gowri/

Amardeep