



2026:CGHC:2948-DB



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 22 of 2026**

Vivek Kumar Soni S/o C R Soni Aged About 35 Years Village And Post Aasra, Tahsil Dongargaon, Ps Dongargaon, District Rajnandgaon, Chhattisgarh

... Appellant**versus**

1 - State of Chhattisgarh Through Secretary, Public Health and Family Welfare Department, Mantralaya, Mahanadi Bhavan, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh

2 - Commissioner Cum Director Directorate Of Health Services North Block, Sector 19, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh

3 - Chief Medical And Health Officer District Rajnandgaon, Chhattisgarh

4 - Collector District Rajnandgaon, Chhattisgarh

5 - Block Medical Officer Community Health Centre, Dongargaon, District Rajnandgaon, Chhattisgarh

6 - State Of Chhattisgarh Through Secretary, General Administration Department, Mantralaya, Mahanadi Bhavan, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh

7 - Under Secretary General Administration Department, Mantralaya, Mahanadi Bhavan, Nava Raipur, Atal Nagar, District Raipur, Chhattisgarh

... Respondents

(Cause-title taken from Case Information System)

For Appellant	: Mr. Pankaj Singh, Advocate
For Respondents/State	: Mr. S.S. Baghel, Govt. Advocate

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



Judgment on Board

Per Ramesh Sinha, Chief Justice

19.01.2026

- 1 Heard Mr. Pankaj Singh, learned counsel for the appellant as well as Mr. S.S. Baghel, learned Government Advocate, appearing for the State/respondents.
- 2 By way of present writ appeal under Section 2 of Sub-Section (1) of the Chhattisgarh High Court (Appeal to Division Bench Act, 2006, the appellant / writ petitioner has challenged the order dated 25.11.2025 passed by learned Single Judge in WPS No.12996 of 2025 (***Vivek Kumar Soni Vs. State of Chhattisgarh & Others***), by which the writ petition filed by the petitioner has been dismissed by the learned Single Judge.
- 3 Brief facts necessary for disposal of this appeal are that the appellant / writ petitioner has filed a writ petition being WPS No. 12996 of 2025, assailing the order dated 30.06.2025 issued by respondent No. 4/Collector by which he has been transferred from Primary Health Centre, Arjuni Development Block Dongargaon District Rajnandgaon to Primary Health Centre, Buchatola, Development Block Churia, District Rajnandgaon on the administrative ground. The petitioner has also challenged the order dated 07.10.2025 by which the Committee constituted by the State for deciding the representation has rejected the representation filed by the petitioner.



- 4** Learned counsel for the appellant submits that the learned Single Judge erred in law and on facts in dismissing the writ petition, as the impugned transfer order dated 30.06.2025 and the recommendation made by the Committee upholding the same vide order dated 07.10.2025 were passed in utter violation of the policy in vogue as the post held by the petitioner is not of District Cadre, hence, respondent No.4 is not competent to issue the impugned order. He would further submit that the learned Single Judge has failed to appreciate that the Committee deciding his representation has not taken into consideration the ground raised by the petitioner and has mechanically without application of mind has rejected his representation. He would further submit that the petitioner's mother is suffering from cancer and no one in his family to look after his mother and would pray for quashing of the impugned order dated 25.11.2025 passed by the learned Single Judge, the impugned transfer order 30.06.2025 issued by respondent No. 4/Collector as well as the order dated 07.10.2025 passed by the Committee upholding the impugned transfer order.
- 5** On the other hand, learned State counsel opposed the aforesaid submission and submitted that the transfer order dated 30.06.2025 issued by Respondent No. 4, the Collector, is within his competence and in line with the applicable policies and administrative guidelines, irrespective of whether the post is of District Cadre. The Committee, in its order dated 07.10.2025, has



thoroughly considered the petitioner's representation, and the dismissal of the writ petition by the learned Single Judge is correct, as the transfer decision was made based on administrative exigencies. Further the petitioner was posted in the present place of posting for about 13 years and the transferred place is only 56 km away from the present place of posting.

- 6 We have considered the rival submissions advanced by learned counsel for the parties and perused the record.
- 7 Having heard learned counsel for the parties and upon perusal of the record, this Court finds no merit in the submissions advanced on behalf of the appellant. Transfer is an incidence of service and the scope of judicial interference is limited unless the same is shown to be vitiated by malafides, violation of statutory rules or lack of competence. In the present case, the appellant has failed to demonstrate any such infirmity. The transfer order dated 30.06.2025 has been issued by the competent authority in accordance with the applicable policy and administrative exigencies. The Committee, while deciding the representation, has duly considered the relevant aspects and no material has been placed on record to show non-application of mind. The personal difficulty of the appellant, though sympathetic, cannot be a ground to interfere with a routine transfer, particularly when the appellant has remained posted at the same place for about 13 years and the transferred place is only 56 km away. The learned



Single Judge has rightly dismissed the writ petition after proper appreciation of facts and law.

- 8 Consequently, the appeal being devoid of merit is **dismissed**.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice