

GAHC040012942025



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/351/2025

Debashish Deb
presently serving as Block Development Officer under the Directorate of Rural
Development, Govt of Arunachal Pradesh, Itanagar, Papum Pare District, Arunachal
Pradesh.

VERSUS

The State of AP and 2 Ors
represented by the Secretary, Rural Development, Govt of Arunachal Pradesh,
Itanagar.

2:The Director of Rural Development Department

Age: 0

Occupation :

Govt of Arunachal Pradesh

Itanagar

Papum Pare District

Arunachal Pradesh.

3:The Departmental Transfer and posting Committee

Age: 0

Occupation :

represented by its Chairperson

Rural Development Department

Govt of Arunachal Pradesh

Itanagar

Papum Pare District

Arunachal Pradesh

Advocate for the Petitioner : Rintu Saikia, Mindo Taso, Idak Bam, Ligam Nochi

Advocate for the Respondent : Binter Picha, SC (RD)

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 05.08.2025

Heard Mr. R. Saikia, learned counsel for the petitioner.

Challenge made in this writ petition is to the order dated 22.07.2025, passed by the Secretary (RD), Government of Arunachal Pradesh, whereby, 6 (six) Block Development Officers (BDO), including the petitioner are sought to be transferred at various places of posting.

Issue notice, returnable by 3 (three) weeks.

As Mr. B. Picha, learned Standing Counsel for the Rural Works Department has entered appearance and accepted notice on behalf of all the respondents, no formal notice need be served. However, requisite extra-copies of the writ petition along with the documents appended thereto be furnished to him during the course of the day.

Heard on the interim prayer.

The transfer of the petitioner *prima facie* appears to have been initiated by the OSD to the Minister, RD & PR, Transport etc. On such initiation, it appears that the Secretary to the Department has mortgaged the authority in issuing the impugned transfer order, which is not permissible under the law. The petitioner is stated to be at the verge of his retirement, having only more than a year for superannuation. The policy which regulates the transfer and posting, provides that the officers are not to be transferred one year before retirement as it may affect the preparation of their pension papers etc.

Having considered that the impugned order *prima facie* appears to have been passed on the initiation of the OSD to the Minister and also considering that the

petitioner is having only litter over a year from retirement, till the returnable date, the impugned order dated 22.07.2025, passed by the Secretary (RD), Government of Arunachal Pradesh, in respect of the petitioner shall not be given effect to.

It is provided that pendency of this writ petition shall not be a bar to dispose of the representation dated 23.07.2025, submitted by the petitioner.

List **after 3 (three) weeks.**

JUDGE

Comparing Assistant