

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**CWP No. 5093 of 2026**

**Decided on: 10.04.2026**

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Vishal

.....Petitioner

**Versus**

State of H.P. and others

... Respondents

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***Coram***

***Hon'ble Mr. Justice Ajay Mohan Goel, Judge.***

**Whether approved for reporting?<sup>1</sup>**

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For the petitioner : Mr. Daleep Singh Kaith, Advocate.

For the respondents : Mr. Pushpender Jaswal, Additional Advocate General for respondents – State.

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**Ajay Mohan Goel, Judge** *(Oral)*

Notice confined to respondents No. 1 to 5. Mr. Pushpender Jaswal, learned Additional Advocate General, accepts notice on behalf of said respondents.

2. The petitioner is aggrieved by Annexure P-1, in terms whereof he stands transferred from HPPWD Sub Division, Rampur to HPPWD Sub Division Nankhari. The petitioner is serving as Junior Engineer (Civil). The grounds of challenge to the transfer order are that he has been transferred just to accommodate the private respondent and is a result of a DO Note. Further contention of the petitioner is that the private respondent has been posted in his home Sub Division which is in violation of the Transfer policy.

3. On a query put to learned Counsel for the petitioner as

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<sup>1</sup> *Whether reporters of the local papers may be allowed to see the judgment?*

to what is the stay of the petitioner at the present place of posting, the Court stands informed that the petitioner is serving there since the year 2021.

4. In light of the fact that the petitioner is serving for almost five years at the present place of posting, this Court is of the considered view that he cannot be permitted to assail the legality of the transfer order on the grounds urged before the Court. Once the petitioner has completed his normal tenure at the said station, he has to abide by the transfer order.

5. At this stage, learned Counsel for the petitioner submits that then these proceedings be closed by granting liberty to the petitioner to approach the Authority for his adjustment at some other station.

6. Accordingly, without interfering with the impugned transfer order, this petition is disposed of with the observation that in case, the petitioner does approach the Authority for his adjustment at some other station within one week from today, appropriate orders thereupon shall be passed, taking into consideration the administrative exigency of the Department, within a period of three weeks from the date of receipt of the representation. Till decision on the representation, the petitioner shall not be forced

to join the station to which he stands transferred in terms of the impugned transfer order and he may be allowed to avail the kind of leave due to him.

The ban imposed on transfers on account of Panchayati Raj Elections in the State shall not come in the way of the Authority in passing the appropriate orders on the representation of the petitioner. Pending miscellaneous application(s), if any also stand disposed of accordingly.

**(Ajay Mohan Goel)**  
**Judge**

April 10, 2026  
(*narender*)