

Kewal Krishan vs State of HP and others

CWP No. 6283 of 2026

06.05.2026 Present: Mr. Ankit Dhiman, Advocate, for the petitioner.

Mr. Pushpinder Jaswal, Additional Advocate General, for the respondents.

Notice. Mr. Pushpinder Jaswal, learned Additional Advocate General, appears and accepts notice on behalf of the respondents.

The petitioner is aggrieved by order dated 10. 12.2025 (Annexure P-4), in terms whereof, his prayer transfer out of his present place of posting, i.e. Luj Beat of Pangji Forest Division, where he is serving since 9th of August, 2023, which is a tribal area, stands rejected by the authorities on the ground that he has not completed his normal tenure in Luj Beat of Pangji, Forest Division and on account of acute shortage of Forest Guards in Pangji Forest Division, his prayer cannot be accepted.

Learned counsel for the petitioner has primarily argued that the petitioner has now completed almost two years and ten months at the present place of posting and there are more than 50 to 60 Forest Guards in District Chamba, who have never been posted either in hard or tribal areas. He submitted that whereas, the petitioner has served

twice in tribal area, the inefficiencies on the part of the Department or favour shown by the Department in favour of few, who always want to serve in their comfort zones cannot act to the deterrent of the petitioner so as to force him to serve always in tribal areas.

This Court concurs with the submission made by the learned counsel for the petitioner. As it is not evident from the impugned order that there is not even a single Forest Guard presently in District Chamba and more particularly, in the Circle, where the petitioner stands appointed, who can replace the petitioner, accordingly, respondents are directed to do the needful within a period of four weeks from today and place on record the transfer order of the petitioner to some other station. The request of the petitioner for being posted at the station of his choice be looked into sympathetically.

List on **28.05.2026**. It is clarified that the authority shall pass the transfer order within the time period granted by the Court, which may be given effect to after the ban imposed on transfers in lieu of Panchayat Elections is lifted.

(Ajay Mohan Goel)
Judge

May 06, 2026
(meera)