



2025:HHC:22559

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.10890 of 2025

Decided on: 11th July, 2025

Sher Singh

.....**Petitioner**

Versus

State of H.P. and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Prem P. Chauhan and Ms. Shikha Rajta, Advocates.

For the Respondents: Mr. Anup Rattan, Advocate General with Mr. Rajat Choudhry, Assistant Advocate General, for respondents No.1 to 3.

Jyotsna Rewal Dua, Judge

Petitioner is presently posted as Beldar in HPPWD Section Dadhol under HPPWD Sub-Division Bharari, Division Ghumarwin, District Bilaspur. His grievance is to the office order dated 01.07.2025 (Annexure P-1) issued by respondent No.2, temporarily shifting the petitioner to HPPWD Section Hatwar under HPPWD Sub-Division Bharari statedly in public interest due to exigency of his service.

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.



2. Petitioner has assailed the aforesaid office order on the ground that the same has been issued only on the basis of a complaint preferred by his neighborer on 07.05.2025.

3. Notice of this petition was issued on 08.07.2025, when learned Assistant Advocate General was directed to have instructions in the matter. During the course of hearing today, learned Assistant Advocate General has placed on record office instructions dated 10.07.2025 from the Executive Engineer, HPPWD Division Ghumarwin. As per the office instructions, petitioner was shifted from Section Dadhol to Section Hatwar, HPPWD Sub-Division Bharari under Division Ghumarwin in view of the complaint received against him. The complaint as received by the respondents against the petitioner has also been appended alongwith the office instructions. A perusal thereof gives the impression that one Sh. Ram Chand Verma has complained to respondent No.2 about the fact that petitioner's office duty hours are from 9:00 am to 4:00 pm, whereas, the petitioner starts from his home between 9:10 to 9:40 am & at times, reaches home around 3:00-4:00 pm and on that count, he should be transferred.



4. Learned counsel for the petitioner submits that the aforesaid complainant is the neighborer of the petitioner. That the petitioner and complainant are already involved in private litigations before the Civil Courts.

5. That apart, it is to be seen that such kind of complaint by a private individual is required to be verified by the concerned officer and in case the allegations leveled therein are correct, appropriate action in accordance with law is required to be taken against the petitioner to ensure that he continues to serve during the office hours. Merely on the basis of complaint of a person, who is neighborer of the petitioner and is engaged in civil litigation with him, the petitioner could not be transferred. Hence, for that reason alone, this writ petition is allowed. Impugned office order dated 01.07.2025 (Annexure P-1) is quashed and set aside.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

July 11, 2025
Mukesh

Jyotsna Rewal Dua
Judge