

Arun Kumar versus State of H.P and others

CWP No.16824 of 2025

29.10.2025 Present: Mr. Vikrant Thakur, Advocate, for the petitioner.

Mr.L.N. Sharma, Additional Advocate General, Ms. Menka Raj Chauhan, Deputy Advocate General and Mr. Rajat Choudhry, Assistant Advocate General for respondents.

Notice. Mr. L.N. Sharma, learned Additional Advocate General, accepts notice on behalf of respondents. Reply, be filed within three weeks.

List on 24.11.2025.

CMP No.25852/2025

- 2.** The petitioner’s grievance is to the notification dated 18.09.2025 (Annexure P-1) whereby the petitioner serving as Assistant Commissioner (Food Safety), Sirmour has been given additional charge of post of Assistant Commissioner(Food Safety), Kinnaur, District Kinnaur, H.P in addition to his own duty without any extra remuneration with immediate effect.
- 3.** Heard. Following table drawn in the petition gives the incumbency of petitioner:-

“Sr. No.	Date
1.	19.12.2016 Appointed as Assistant Commissioner(Food Safety)
2.	March, 2017 Transferred to Shimla
3.	July, 2017 to June, 2020 Served at Hamirpur
4.	June, 2020 to July, 2022 Served at Mandi
5.	18 th July, 2022 Transferred to Solan”

The petitioner was not allowed to complete his normal tenure at Solan. On 24.03.2023, he was transferred to Mandi. Feeling aggrieved against this order, the petitioner instituted CWP No. 1577 of 2023. Pursuant to the interim order, the petitioner continued to serve at Solan. The writ petition was allowed on 04.08.2023. On 10.09.2025, the petitioner was transferred to Sirmour at Nahan. The petitioner complied with the order and joined as such. His grievance as noticed is to the notification dated 18.09.2025 giving him additional charge to the post of Assistant Commissioner (Food Safety), District Kinnaur.

4. There is substance in the submission made for the petitioner that work entrusted to him as Assistant Commissioner (Food Safety) full time administrative responsibility. The petitioner has been assigned additional charge of District Kinnaur whereas he is holding regular charge of District Sirmour. Distance between two stations is more than 500 K.ms. Assigning additional charge at such long distance would adversely effect the governance. In fact, the petitioner has also pleaded that in Shimla district, three officials have been posted by the respondents against two sanctioned posts. In these circumstances, burdening the petitioner with additional charge of far-flung district prima-facie appears to be unjustified. Hence, notification dated 18.09.2025 qua giving additional charge of the post of Assistant Commissioner (Food Safety), District Kinnaur to the petitioner

shall remained stayed till the next date. It shall however be open to the respondents to deploy some other person at District Kinnaur either by way of re-assigning official from over staffed districts or by deputing official deployed in proximity of District Kinnaur or in any other appropriate manner in accordance with law.

Jyotsna Rewal Dua
Judge

October 29, 2025
(yogesh)