



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.18445 of 2025
Date of Decision: 25.11.2025

Rajinder Kumar Gautam

.....Petitioner

Versus

State of Himachal Pradesh & Anr.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?

For the Petitioner: Mr. Ashok K. Tyagi, Advocate.

For the respondents: Mr. Vishal Panwar, Additional Advocate General with Mr. Ravi Chauhan, Deputy Advocate General.

Sandeep Sharma, J. *(Oral)*

Petitioner herein, who at present is working as Sub Divisional Officer (Civil) at Barsar, District Hamirpur, Himachal Pradesh, is aggrieved with impugned order dated 21.11.2025 passed by Chief Secretary to the Government of Himachal Pradesh (Annexure P-4), whereby petitioner has been transferred from afore station to Sarkaghat, District Mandi, Himachal Pradesh.

2. Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Mr. Ashok K. Tyagi, learned counsel representing the petitioner, is that impugned transfer order is in violation of Transfer Policy formulated by the Government of Himachal Pradesh because petitioner has not been



permitted to complete his normal tenure at present place of posting. Mr. Tyagi, further submitted that prior to petitioner's posting at Barsar, he was working at Dharampur, Mandi, and from there he was transferred within nine months. Prior to petitioner's posting at Dharampur, Mandi, he has already served in tribal area i.e. Kinnaur for ten months.

3. Having regard to the nature of prayer and order proposed to be passed in the instant petition, this Court sees no necessity to call for the reply from the respondents, who are otherwise represented by Mr. Ravi Chauhan, learned Deputy Advocate General. Mr. Chauhan, states that petitioner has already completed more than one year and eight months at present place of posting and he being Class-I Officer cannot take shelter of Transfer Policy.

4. Having perused material adduced on record by the petitioner, this Court finds that petitioner has completed one year and eight months at present place of posting, if it is so, he cannot be permitted to state that he has been transferred within short span of time.

5. Though having regard to the nature of the duties to be performed by the petitioner, in view of his assignment at Barsar, District Hamirpur, Himachal Pradesh, this Court is not inclined to interfere with the impugned transfer order, however, having taken



note of the fact that 10+2 exams of the son of the petitioner are scheduled to be held in the month of March, 2026 and there is one vacancy at Nadaun, District Hamirpur, this Court deems it fit to dispose of the present petition with a direction to the petitioner to file representation to the competent authority for cancellation/adjustment of transfer at a convenient station within two days, which shall be decided by the competent authority within one week thereafter. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass appropriate orders taking note of upcoming exams of the son of the petitioner as well as vacancy at Nadaun, District Hamirpur. Till the time, representation, as detailed herein above, is not decided in terms of instant order, petitioner shall not be compelled to join at transferred station in terms of impugned transfer order. Pending applications, if any, stand disposed of.

**(Sandeep Sharma),
Judge**

November 25, 2025

(sunil)