



2026:CGHC:24911

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4594 of 2026

Lal Singh Negi S/o Late Sarman Das Aged About 58 Years Presently Working As Inspector (Gd), Indo-Tibetan Border Police Force, 38th Battalion, I T B P, Narayanpur, Village Adedh, P.O. Orcha, District Narayanpur (Chhattisgarh).

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... Petitioner(s)

versus

1 - Union Of India Through The Secretary, Ministry Of Home Affairs, North Block, New Delhi – 110001

2 - Director General, Indo-Tibetan Border Police Force, I T B P Headquarters, Block No. 2, C G O Complex, Lodhi Road, New Delhi - 110003.

3 - Inspector General/ Commanding Officer, 38th Battalion, I T B P, Kharora, Raipur, Chhattisgarh

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s)	: Shri Kaushal Yadav, Advocate
For Union of India	: Shri Ramakant Mishra, DSGI

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

19.06.2026

1. Learned counsel for the petitioner submits that the petitioner is presently serving as an Inspector (GD) in the Indo-Tibetan Border Police Force (ITBP) and is posted with the 38th Battalion, ITBP, Narayanpur, Village Adedh, P.O. Orcha, District Narayanpur (Chhattisgarh). It is further submitted that the petitioner is presently serving in an operational area and has less than two years of service remaining before attaining the age of superannuation.
2. Learned counsel has invited the attention of this Court to Standing Order No. 03/2023 dated 10.02.2023 issued by the Directorate General, ITBP, Government of India. Reliance has been placed upon Clause 8 thereof, which deals with terminal posting and reads as under:

8. TERMINAL POSTING

“ Terminal posting may be considered on receipt of a request through software from a member of the Force having 2 years or less before superannuation, subject to operational

requirements and administrative feasibility. The applicant can give 05 (five) choices of posting irrespective of EHA/HA/SA. In order to give effect to the above provisions, the establishment branch will seek choices for terminal posting once a member of the Force reaches 55 years of age."

3. Learned counsel submits that petitioner/applicant can give 05 (five) choices of posting irrespective of EHA/HA/SA. In order to give effect to the above provisions, the establishment branch will seek choices for terminal posting once a member of the Force reaches 55 years of age. Learned counsel submits that, in terms of the aforesaid Clause, the petitioner approached the Director General, ITBP by submitting a representation dated 19.03.2026 (Annexure P/3) seeking consideration of his case for terminal posting. However, the application and the options furnished by the petitioner pursuant to the said Standing Order have been rejected vide Annexure P/1 without assigning any reasons. The name of the petitioner finds place at Serial No. 11 of the said order.
4. Learned counsel further submits that once the Standing Order provides for furnishing options for terminal posting upon a

member of the Force attaining the age of 55 years, the petitioner's case was required to be considered in accordance with the provisions contained therein. It is submitted that although the petitioner has already attained the age of 58 years, his application has been rejected without due consideration of the provisions prescribed under the Standing Order and without proper application of mind.

5. Per contra, learned counsel for the respondents appearing on advance copy submits that the application/representation of the petitioner has been considered by the competent authority and his application has been rejected.
6. I have heard both the parties and perused the documents.
7. Upon perusal of Annexure P/1, it is evident that the name of the petitioner appears at Serial No. 11 and his application has been rejected on the ground that the same was not found fit on merits. However, the impugned order does not assign any reasons for such rejection. It appears that the petitioner's application/representation has been considered without recording any cogent reasons, and nothing in the impugned order reflects that the petitioner's case was examined in

accordance with Clause 8 of Standing Order No. 03/2023 dated 10.02.2023.

8. In view of the aforesaid, the present writ petition is disposed of with a direction to the petitioner to submit a detailed representation before respondent No. 2 within a period of ten days from today. In the event such representation is submitted within the stipulated period, respondent No. 2 shall consider and decide the same strictly in accordance with Clause 8 of Standing Order No. 03/2023 dated 10.02.2023. The competent authority shall pass a reasoned and speaking order and complete the entire exercise within a further period of ten days thereafter.

9. With the aforesaid direction, the writ petition is disposed of

sd/-

(Bibhu Datta Guru)
Judge

Shoaib