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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7400 of 2026

1 - Arun Kumar Sonkar S/o Kali Ram Sonkar Aged About 52 Years Presently Posted As Joint Collector, Balodabazar-Bhatapara, Distt. Balodabazar-Bhatapara (C.G.)

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through The Secretary General Administrative Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, District Raipur (C.G.)

2 - Secretary Department Of Revenue Government Of Chhattisgarh, Mantralaya, Atal Nagar Nava Raipur District Raipur Chhattisgarh

3 - Collector, Balodabazar-Bhatapara, Distt. Balodabazar-Bhatapara (C.G.)

... **Respondent(s)**

For Petitioner(s) : Mr. Sanjay Pathak, Advocate

For Respondent(s) : Mr. Atanu Ghosh, Dy. Govt. Advocate

Hon'ble Shri Justice Ravindra Kumar Agrawal, J

Order on Board

09.10.2026

- Challenge in the present petition is to the order dated 29.09.2026 (Annexure P/1), passed by respondent No.1, whereby the petitioner, who is working as a Joint Collector, Balodabazar-Bhatapara, has been transferred to Bastar.

2. Learned counsel for the petitioner would submit that the impugned transfer order dated 29.09.2026 has been passed in violation of the Transfer Policy dated 05.06.2025. He would submit that the petitioner has already rendered approximately 12 years of service in Scheduled Areas and has been transferred to Bastar, another Scheduled Area, without due consideration of his previous service in such areas. He would further submit that the petitioner was transferred from Baikunthpur to Balodabazar-Bhatapara vide order dated 09.05.2023 and joined at the present place of posting on 25.05.2023, and the impugned transfer has been made before completion of the prescribed tenure, despite his successive transfers from Durg to Kawardha, from Kabirdham to Baikunthpur and thereafter to Balodabazar-Bhatapara. He would also submit that the wife of the petitioner is suffering from a medical condition requiring continuous medical consultation, regular check-ups and follow-up treatment, while the petitioner himself is facing health-related difficulties and requires regular medical attention. He would submit that the proposed posting at Bastar would cause serious hardship to the petitioner and his family. He would further submit that the impugned transfer order has been passed without disclosing any specific administrative exigency and without due consideration of the petitioner's service tenure, medical condition and family circumstances. He would also submit that the petitioner has submitted a representation against the impugned transfer order, highlighting the violation of the transfer policy and his genuine medical and family circumstances, which has not yet been considered and decided by the competent authority. He would lastly submit that the impugned transfer order is arbitrary, unreasonable and contrary to the

applicable transfer policy, and therefore, the same deserves to be quashed and set aside.

3. On the other hand, learned State counsel opposes the submissions made by learned counsel for the petitioner and would submit that there is no restriction that, even if the petitioner had worked in the core Scheduled Area, he cannot be transferred again to the said area. So far as the grievance raised by the petitioner under Clause 3.13 of the Policy dated 05.06.2025 is concerned, the petitioner has already made his representation, and it is for the authorities concerned to decide the same in accordance with Clause 8 of the said Policy. He would also submit that the petitioner cannot claim to be posted at the same place, as he has been transferred in view of administrative exigency. He, therefore, submits that the petition is without merit and is liable to be dismissed.
4. I have heard learned counsel for the parties and perused the documents annexed with the petition.
5. From perusal of Clause 8 of the Policy dated 05.06.2025, it is evident that the respondent authorities have provided an in-house mechanism for consideration of the grievances of employees who have been transferred under the Policy dated 05.06.2025. The Clause 8 of the Transfer Policy reads as under:

“8. स्थानांतरण के विरुद्ध अभ्यावेदन

स्थानांतरण से व्यथित शासकीय सेवक द्वारा अपने स्थानांतरण के विरुद्ध अभ्यावेदन केवल स्थानांतरण नीति के उल्लंघन होने पर ही उक्त उल्लंघन होने वाले कंडिका के संबंध में स्पष्ट आधारों के साथ स्थानांतरण आदेश जारी होने की तिथि से 15 दिवस के भीतर प्रश्नाधीन स्थानांतरण

आदेश की प्रति सहित शासन द्वारा गठित वरिष्ठ सचिवों की समिति के संयोजक एवं सचिव, सामान्य प्रशासन विभाग को प्रस्तुत किया जा सकेगा। समिति द्वारा ऐसे प्रकरणों का इस स्थानान्तरण नीति के प्रकाश में परीक्षण करने के पश्चात अपनी अनुशंसा संबंधित विभाग को प्रेषित की जाएगी।”

6. Since the petitioner has already raised his grievance by making a representation dated 30.09.2026, as per Clause 8 of the Transfer Policy dated 05.06.2025 and the said representation of the petitioner is to be considered by the authorities concerned, this Court is not inclined to entertain the present petition, at this stage.
7. Accordingly, the present writ petition is disposed of directing the respondent authorities to decide the representation of the petitioner in an objective manner and pass a reasoned order within the period prescribed under Clause 8 of the Transfer Policy dated 05.06.2025, in accordance with law and on its own merits.
8. The writ petition accordingly stands **disposed of** with the aforesaid observation and direction.

Sd/-
(Ravindra Kumar Agrawal)
Judge