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Date: 2026.10.16
10:41:08 +0530**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 7553 of 2026**

Dhal Singh Sahu S/o Shri Sukhu Ram Sahu Aged About 47 Years R/o
Village Auri Post Jamgaon (R) Tahsil Patan, Distt. Durg, Chhattisgarh.

... Petitioner**versus**

1 - State Of Chhattisgarh Through The Secretary, Government Of Home
Affairs Mahanadi Bhawan, Mantralaya, New Raipur, Distt. Raipur,
Chhattisgarh. Pin 492001.

2 - The Police Establishment Board Through Director General Of Police
(PHQ) Atal Nagar New Raipur, Distt. Raipur, Chhattisgarh, Pin 492001.

3 - The Inspector General Of Police, Durg Range, Durg, Distt. Durg,
Chhattisgarh.

4 - The Superintendent Of Police, Rajnandgaon, Distt. Rajnandgaon,
Chhattisgarh.

5 - The Superintendent Of Police, Surajpur, Distt. Surajpur,
Chhattisgarh.

... Respondents**(Cause title is taken from Case Information System)**

For Petitioner : Mr. Dheerendra Pandey, Advocate

For Respondents/ State : Mr. Suyashdhar Badgaiya, Govt. Advocate

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board

15/10/2026

1. By the present writ petition, the petitioner is challenging the order dated 01.10.2026 (Annexure P/1) as well as the transfer order dated 20.08.2026 (Annexure P/5) and prays for a direction to the respondent authorities to amend the impugned transfer order in terms of the order passed in respect of a similarly situated employee.
2. (a) Learned counsel appearing for the petitioner submits that the petitioner is working as a Police Inspector in the Police Department, whereas his wife is serving as a Personal Assistant in the Forest Department and is posted at Nava Raipur. He submits that, vide transfer order dated 20.08.2026 (Annexure P/5), the petitioner has been transferred from District Rajnandgaon to District Surajpur, despite his wife's posting at Nava Raipur. Learned counsel further submits that the petitioner submitted a representation seeking amendment of the transfer order on the ground that both spouses are government servants and that their posting at the same place or nearby stations would facilitate the discharge of their family responsibilities. He would place reliance upon the judgment passed by the Division Bench of this Court in *Chetan Sahu v. State of Chhattisgarh*, WA No. 71 of 2021, decided on 08.03.2021.

(b) Learned counsel further submits that, in WPS No. 6557 of 2026, this Court, vide order dated 08.09.2026 (Annexure P/8), directed the respondent authorities to consider and decide the petitioner's representation in accordance with law. However, the Police Establishment Board, vide order dated 01.10.2026 (Annexure P/1), rejected the petitioner's representation on the ground that the transfer policy dated 05.06.2025 is not applicable to the Home (Police) Department. Learned counsel contends that the impugned order is arbitrary and discriminatory, particularly when the transfer orders of similarly situated employees have been amended by the respondent authorities (Annexure P/9 Colly.). He, therefore, prays that the impugned order dated 01.10.2026 and the transfer order dated 20.08.2026 be quashed and the respondents be directed to reconsider the petitioner's transfer and post him at the same place as his wife or at a nearby station.

3. On the other hand, learned State counsel opposes the petition and submits that transfer is an incidence of service and the petitioner has no vested right to remain posted at a particular place. It is further submitted that the transfer order has been passed in the administrative interest and no illegality or statutory violation warranting interference by this Court has been demonstrated.
4. I have heard learned counsel for the parties and perused the documents available on record.

5. It is well settled that transfer is an incidence of service and an employee has no vested right to remain posted at a particular place. Ordinarily, the scope of judicial review in matters of transfer is limited, and interference is warranted only when the transfer order is shown to be contrary to any statutory provision, vitiated by *mala fides*, or otherwise arbitrary. In the present case, the petitioner has challenged the order dated 01.10.2026, whereby the Police Establishment Board rejected his representation seeking amendment of the transfer order dated 20.08.2026 on the ground that his wife is posted at Nava Raipur and that both spouses are government servants.
6. A perusal of the impugned order dated 01.10.2026 reveals that the Police Establishment Board considered the petitioner's representation and rejected the same on the ground that the transfer policy dated 05.06.2025 is not applicable to the Home (Police) Department. The petitioner has not demonstrated any statutory provision or service rule conferring upon him an enforceable right to be posted at the same place as his wife or at a nearby station. Likewise, the fact that transfer orders of certain other employees have allegedly been amended does not, in the absence of particulars establishing that they were similarly situated in all material respects, warrant interference with the impugned order.
7. It is also relevant to note that, vide order dated 08.09.2026 passed in WPS No. 6557 of 2026, this Court directed the respondent authorities to consider and decide the petitioner's representation

in accordance with law. The Police Establishment Board thereafter considered the petitioner's representation and passed the impugned order dated 01.10.2026. In the absence of any material demonstrating that the said order suffers from arbitrariness, *mala fides*, or violation of any statutory provision, this Court finds no sufficient ground to interfere with the administrative decision of the competent authority in exercise of its writ jurisdiction.

8. In view of the foregoing discussion, this Court finds that no ground for interference with the impugned order dated 01.10.2026 or the transfer order dated 20.08.2026 is made out.
9. Accordingly, the writ petition, being devoid of merit, is liable to be and is hereby **dismissed**.

Sd/-
(BIBHU DATTA GURU)
JUDGE