



CNR: KAHC010502282026

NC: 2026:KHC:46973
WP No. 22585 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 22585 OF 2026 (S-TR)

BETWEEN:

SMT. PAVANA. D
W/O KUMAR.N,
AGED ABOUT 38 YEARS,
WORKING AS ASSISTANT ENGINEER (ELE.),
UNIT-5, O AND M CITY SUB DIVISION - I,
BESCOM, DAVANAGERE 577 001.

...PETITIONER

(BY SRI. VIRUPAKSHAIAH P.H., ADVOCATE)

AND:

1. THE DIRECTOR
(ADMINISTRATION AND HUMAN RESOURCES),
KPTCL, CORPORATE OFFICE,
KAVERI BHAWAN,
BANGALORE 560 009.
2. THE GENERAL MANAGER
(ADMINISTRATION AND HUMAN RESOURCES),
CORPORATE OFFICE, BESCOM,
K.R. CIRCLE,
BANGALORE 560 009.
3. THE EXECUTIVE ENGINEER (ELE.)
O AND M DIVISION, BESCOM,
DAVANAGERE - 577 001.

Digitally
signed by
SHILPABAI S
Location:
HIGH COURT
OF
KARNATAKA



NC: 2026:KHC:46973
WP No. 22585 of 2026

CNR: KAHC010502282026

4. PAVAN KUMAR.T
FATHER'S NAME NOT KNOWN,
AGED ABOUT 40 YEARS,
WORKING AS ASSISTANT ENGINEER (ELE.)
220KV SRS, KPTCL,
DAVANAGERE 577 001.

...RESPONDENTS

(BY SMT. SUVARNA LAKSHMI M L, ADVOCATE FOR R4
SRI. A CHANDRACHUD, ADVOCATE FOR R1 TO R3)

THIS WRIT PETITION FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE IMPUGNED ORDER OF TRANSFER DATED 15.7.2026 BEARING NO. KAVIPRANINI / UPAPRAVYA (C)/VYA (C1)/B59/78216 /4/2026 VIDE ANNEXURE-H PASSED THE 1ST RESPONDENT AUTHORITY IN SO FAR AS IT RELATES TO SL. NO. 12 AND ORDER OF TRANSFER DATED 15.07.2026 BEARING NO. KAVIPRANINI / UPAPRAVYA (C)/ VYA (C1) / B59/78216/6/2026 VIDE ANNEXURE-J PASSED THE 1ST RESPONDENT AUTHORITY OF IN SO FAR AS IT RELATES TO SL. NO. 7 ARE CONCERNED HOLDING THE SAME ARE ILLEGAL AND WITHOUT JURISDICTION.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP , THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

The petitioner filed this writ petition seeking the following reliefs:

"(a) ISSUE Writ in the nature of Certiorari or any other Writ or Order or Direction in the similar nature quashing the Impugned Order of Transfer dated



NC: 2026:KHC:46973
WP No. 22585 of 2026

CNR: KAHC010502282026

15.7.2026 bearing No. KaViPraNiNi / UpaPraVya (C)/Vya (C1)/B59/78216 /4/2026 vide Annexure-H passed the 1st respondent authority in so far as it relates to Sl. No. 12 and Order of Transfer dated 15.07.2026 bearing No. KaViPraNiNi / UpaPraVya (C)/ Vya (C1) / B59/78216/6/2026 vide Annexure-J passed the 1st respondent authority of in so far as it relates to Sl. No. 7 are concerned holding the same are illegal and without jurisdiction;

(b) Grant such other relief or relief's as this Hon'ble Court may deems fit to grant in the facts and circumstances of the case, in the interest of justice and equity."

2. Brief facts leading rise to the filing of this petition are as follows:

2.1. The petitioner reported for duty on 14.08.2024 as Assistant Engineer (Electrical) Zone-5, Operation and Maintenance, City Sub-division-I, Bengaluru Electricity Supply Company Limited (**'BESCOM'** for short), Davanagere in terms of the transfer order dated 31.07.2024. The Transfer Guidelines were issued by Department of Personnel and Administrative Reforms



**NC: 2026:KHC:46973
WP No. 22585 of 2026**

(**'DPAR'** for short) prescribing guidelines for transfer in respect of Government servants on 13.04.2026. Respondent No.1-Corporation adopted the Transfer Guidelines dated 13.04.2026 in respect of its employees on 16.04.2026. On 30.06.2026, respondent No.1-Corporation passed an order of transfer posting respondent No.4 to work as Assistant Engineer (Electrical), 220 kV, SRS Receiving Centre, Karnataka Power Transmission Corporation Limited (**'KPTCL'** for short), Davanagere. On 15.07.2026, the impugned order of transfers was passed by respondent No.1-Corporation posting respondent No.4 to work in place of the petitioner and the petitioner has been posted to a vacant place to work as Assistant Engineer(Electrical), Zone-1, O & M Sub-division, BESCOM, Channagiri. The petitioner, aggrieved by the impugned order of transfer dated 15.07.2026, filed this petition.



3. Heard the arguments of learned counsel for the petitioner and learned counsel for respondent Nos.1 to 3 and learned counsel for respondent No.4.

4. Learned counsel for the petitioner submits that, the impugned order of transfer passed by respondent No.1-Corporation is arbitrary and erroneous, and is in violation of the Transfer Guidelines. He further submits that, the Transfer Guidelines dated 13.04.2026 stipulate that, the transfers for the academic year shall be effected on or before 31.05.2026 and the petitioner has been disturbed in the middle of the year without obtaining prior approval of the Hon'ble Chief Minister. Hence, on these grounds, he prays to allow the writ petition.

5. Learned counsel for respondent Nos.1 to 3 submits that, the petitioner is a Group-B employee and he has completed his tenure for two years. He further submits that, before passing the interim order dated 28.07.2026 by this Court, the petitioner was already



relieved. He submits that, the impugned order of transfer is in accordance with the Transfer Guidelines. Hence, on these grounds, he prays to dismiss the petition.

6. Perused the records and considered the submissions of the learned counsel for the parties.

7. It is an undisputed fact that the petitioner is Group-B employee and he was posted for duty as Assistant Engineer (Electrical), Zone-5, O & M City Sub-division-I, BESCO, Davanagere in terms of transfer order dated 31.07.2024. As per the Transfer Guidelines, Group-B employees shall discharge their duty for a minimum period of two years. By virtue of the impugned order of transfer dated 15.07.2026, the petitioner is transferred to vacant place to work as an Assistant Engineer (Electrical), Zone-1, O & M Sub-division, BESCO, Channagiri.

8. It is well settled that transfer of a government employee from one place of posting to another, or from



one post to another, is an incident of service, and that the said power vests in the competent administrative authority to be exercised having regard to the exigencies of administration. This Court, while exercising jurisdiction under Article 226 of the Constitution, does not sit in appeal over an order of transfer, nor substitutes its own opinion for that of the transferring authority, unless the order is shown to be actuated by mala fides, is passed by an authority lacking competence, or is in violation of a statutory rule having the force of law. In the present case, no mala fides have been pleaded or established against respondent No.1, nor is the competence of respondent No.1 to pass the impugned order under challenge.

9. In so far as the reliance placed on the Transfer Guidelines dated 13.04.2026 is concerned, the said Guidelines are administrative/executive instructions issued by the State Government for the internal guidance of the transferring authorities in the matter of ordinary postings and transfers. Such guidelines, howsoever salutary and



binding upon the administrative authorities in the general run of cases, do not have the force of a statutory rule framed under any enactment, and do not confer upon an individual employee or an indefeasible or enforceable legal right to continue in a post for the entire prescribed tenure. They are intended to structure and guide the exercise of administrative discretion in the general run of cases, and not to divest the competent authority of its power to transfer an employee in public interest or administrative exigency in an individual case. A transfer effected in seeming deviation from such guidelines does not, without more, render the order illegal, without jurisdiction, or non-est, so long as it is shown to have emanated from the competent authority.

10. Admittedly, the petitioner has completed the minimum term for two years and she has no vested right to continue in the said post. Hence, the petitioner has failed to prove that the impugned order passed by respondent No.1-Corporation is arbitrarily, *mala fide* and is



NC: 2026:KHC:46973
WP No. 22585 of 2026

in violation of the Transfer Guidelines. The petitioner has already completed her tenure for two years and the impugned transfer order is a general transfer, and other employees were transferred under the impugned order of transfer. Hence, question of obtaining prior approval from the Chief Minister does not arise.

11. In view of the above discussion, I proceed to pass the following:

ORDER

- i. The writ petition is ***dismissed***;
- ii. Pending IA(s), if any, shall stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

PA
CT:KHV
List No.: 1 Sl No.: 65