IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 3545 of 2026

SANTOSH KUMAR, aged about 41 years, Son of Shyam Kishor Saw, Resident of - Amba Kothi, Tapakhas, P.O. + P.S. + District - Latehar (Jharkhand). .....**Petitioner(s)**

Versus

1. The State of Jharkhand.
2. The Secretary, Health, Medical Education and Family Welfare Department, Government of Jharkhand, having its office at Nepal House, Doranda, P.O. & P.S. Doranda, District-Ranchi (Jharkhand)
3. The Additional Chief Secretary, Health, Medical Education and Family Welfare Department, Government of Jharkhand, having its office at Nepal House, Doranda, P.O. & P.S. Doranda, District-Ranchi (Jharkhand).
4. Director Head, Directorate of Health Services, P.O. + P.S. Namkum, Distt. Ranchi, Jharkhand
5. The Civil Surgeon, Latehar, P.O. + P.S. + Distt. Latehar (Jharkhand) .....**Respondent(s)**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. L.C.N. Shahdeo, Advocate
For the Respondent(s) : Mr. Manoj Kumar, G.A.-III

02/Dated:-28.09.2026

1. Heard learned counsel for the parties.

2. The instant writ application has been preferred by the petitioner praying therein for the following reliefs:

i. For issuance of an appropriate writ(s)/order (s)/direction(s) particularly a writ in nature of certiorari commanding upon the respondents to quash the letter no. Swa. Ni./23/ Charge 73/2021 655 (23) Ranchi/ dated 17.04.2026 (Annexure - 7) issued by the respondent no. 4 (Director Head, Health Services, Ranchi, Jharkhand) to the petitioner herein regarding transfer deputation of the petitioner who is working as a Multipurpose Worker (Male) at Community Health Centre, Garu, Latehar to Community Health Centre, Sundarpahari, Godda after not being satisfied with the reply submitted by the petitioner before the inquiry committee with regard to the investigation on the complaint filed by Smt. Gyanati Devi, Smt. Fulmani Devi, Najo Bibi, Smt. Hiramani Devi, Smt. Devanti Devi and Smt. Sita Devi, Sahyia, all of Latehar.

ii. Further be pleased to pass appropriate order/direction providing ad interim stay to the operations of the letter no. Swa. Ni./23/Charge-73/2021-655 (23) Ranchi/ dated 17.04.2026 (Annexure 7) issued by the respondent no. 4 (Director Head, Directorate of Health Services, Ranchi, Jharkhand) to the petitioner during the pendency of this writ petition.

3. The instant application was heard on 01.05.2026 whereby the impugned order of transfer dated 17.04.2026

(Annexure-7) was stayed as the same being punitive in nature.

4. A counter affidavit has been filed wherein at Para-9, it has been stated that considering the Committee Report and in administrative exigency, the petitioner was relieved from *Sadar* Hospital, Latehar and deputed elsewhere in public interest.

5. It is true that the authorities are having full jurisdiction to transfer any employee subject to their own policy decision; however, no transfer should be punitive in nature. It is also well settled that the authorities can proceed with any employee for any misconduct, but in the name of transfer, they cannot punish any employee because that transfer order becomes stigmatic and further, any transfer order being punitive in nature, cannot sustain in the eyes of law in absence of proper departmental proceeding.

6. In the instant case, the order itself indicates the transfer on the ground of complaint made by several local ladies of the department; accordingly, the interim order dated 01.05.2026 is made absolute and the impugned order dated 17.04.2026 (Annexure-7) is quashed and set aside. It goes without saying that the respondents are always at liberty to initiate any proceeding, if so advised.

7. As a result, the instant application is allowed. Pending I.A., if any, also stands closed.

(Deepak Roshan, J.)

SEPTEMBER 28, 2026
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09/10/2026