CGHC010415212026 2026:CGHC:45323

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7626 of 2026

Rajesh Kumar Verma S/o. Shri Shivratan Lal Verma Aged About 60 Years Presently Working And Posted As Assistant Grade-2, Tehsil Office, Tilda-Neora, R/o Purani Basti, Neora, Tilda, District - Raipur (C.G.)

... Petitioner(s)

versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur (C.G.).

2. State Of Chhattisgarh Through The Secretary, General Administration Department, And Convenor, Committee Of Senior Secretaries (Transfer Grievance Committee), Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur (C.G.)

3. Collector District Raipur (C.G.).

4. Collector District Sarangarh-Bilaigarh (C.G.).

... Respondent(s)

For Petitioner	: Mr. Kamlesh Patel, Advocate
For Respondents/ State	: Mr. Aditya Tiwari, P.L.

Hon’ble Shri Bibhu Datta Guru, Judge

Order on Board

27/10/2026

1. Petitioner has filed this writ petition seeking following reliefs:-

“10.1 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction and quash /set aside the Order No.

ESTB/31563/2026-REVENUE-2 dated 24-09-2026 (Annexure-P/1) issued by the Under Secretary, Department of Revenue and Disaster Management, insofar as it relates to the Petitioner (Sl. No. 15), whereby his representation dated 03-07-2025 has been rejected.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction and quash / set aside the transfer order No. ESTB/4239/2025-REVENUE/Sat-2 dated 30-06-2025 (Annexure-P/5) insofar as it relates to the Petitioner (Sl. No. 36), transferring him from Tahsil Office Tilda, District Raipur to the Office of the Collector, District Sarangarh-Bilaigarh, being in contravention of the Transfer Policy, 2025.

10.3 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction in the nature of mandamus directing the Respondents to.allow the Petitioner to continue working peacefully at his present place of posting, i.e., Assistant Grade-2, Tahsil Office Tilda-Neora, District Raipur, and not to relieve him therefrom pursuant to the aforesaid orders.

10.4 Any other relief, which this Hon'ble Court may deem fit and proper, may also be passed in favor of the petitioner together with cost of the petition."

2. Learned counsel for the petitioner submits that the petitioner, a Class-III (Non-Executive) employee of the Revenue Department, presently posted as Assistant Grade-2 at Tahsil Office, Tilda-Neora, District Raipur, has challenged the order dated 24.09.2026, whereby his representation against the transfer order dated 30.06.2025 was rejected by a common, cryptic and non-speaking order without assigning any reasons. It is contended that the impugned transfer of the petitioner from Tehsil Office Tillda, Raipur to the Office of the Collector, Sarangarh-Bilaigarh is contrary to Clauses 1.2 and 3.14 of the Transfer Policy, 2025, as the petitioner holds a Divisional Cadre post and could be transferred only within the concerned division. Learned counsel further submits that the rejection of the petitioner's representation without considering the grounds raised therein is arbitrary, violative of the principles of natural justice and contrary to Article 14 of the Constitution of India. Accordingly, learned counsel prays for quashing the impugned orders.

3. Learned counsel for State submits that the committee constituted under the transfer policy has considered representation submitted by petitioner and the same has not been properly addressed. However he submits that the petitioner can submit a fresh representation before the concerned committee and the same will be decided in accordance with law with a speaking order.

4. I have heard learned counsel for the respective parties and also perused the record.

5. Learned counsel for the State would submit that post of Assistant Gr. II in the revenue department is of divisional cadre post. State

Government in the transfer policy dated 05.06.2025 has taken note of the difficulties to be faced by the employees of district cadre or the divisional cadre if they are transferred to another district or another division and has made specific provision that transfer of district cadre employee and the divisional cadre employee will be within the district and within the division.

6. Admittedly, transfer of petitioner is from one division to another division i.e. from Tahsil Office Tilda, District Raipur to the Office of the Collector, District Sarangarh-Bilaigarh which may affect seniority as also promotional prospects of petitioner.

7. In the aforementioned facts of the case and further considering that in the transfer policy State Government in Clause 3.14 has specifically mentioned that transfer of district cadre and the divisional cadre employees will be within the district and division, in the opinion of this Court, transfer of petitioner vide order Annexure P-5 dated 30.06.2025 is not sustainable, accordingly the order rejecting representation of the petitioner dated 24.09.2026 (Annexure P-1) and the order of transfer Annexure P-5 dated 30.06.2025, so far as it relate to petitioner, are quashed.

8. Accordingly, the writ petition is allowed.

SD/-

(Bibhu Datta Guru)
JUDGE

Jyoti