IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 17624/2026
Decided on: 06.10.2026

Rajender Kumar .....Petitioner

Versus

HRTC & Ors. ....Respondents.

.....

Coram
Ms. Justice Jyotsna Rewal Dua, Judge.
Whether approved for reporting?[1]

For the petitioner: **Mr. Ajay Kumar Dhiman, Advocate.**

For the respondents: **Mr. V.S. Kanwar, Advocate, for respondents No.1 & 2.**

Jyotsna Rewal Dua, J

The petitioner felt aggrieved against the office order dated 01.10.2026 (Annexure P-1). Under the said office order, respondent No. 3, on his promotion as Sub-Inspector, was posted as Adda In-charge at Sub Depot, Paonta Sahib, in place of the petitioner.

2. Taking note of petitioner's grievance, the following order was passed in this matter on 05.10.2026: -

> *"Notice at this stage confined to respondents No.1 and 2, which is waived by Mr. Virender Singh Kanwar, learned counsel.*
>
> *Learned counsel for the petitioner submits that the impugned office order transfers the petitioner without assigning any station, that too, when the petitioner is left with just nine months to superannuate. Let learned counsel for respondents No.1 and 2 to have instructions about continuing the petitioner at the same place till his retirement.*
>
> *List on 06.10.2026."*

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[1] *Whether reporters of the local papers may be allowed to see the judgment? yes*

Pursuant to above, learned counsel for respondents no.1 & 2 submits that petitioner has not been transferred to any other place. Petitioner still remains posted at Sub Depot, Paonta Sahib, however, pursuant to office instructions dated 05.05.2021, placed on record during hearing of the case, the petitioner has been given compensatory leave since he is to retire within next nine months.

3. Learned counsel for the petitioner submits that petitioner has not requested for grant of compensatory leave. Compensatory leave cannot be thrust upon the petitioner, however, petitioner has not raised this grievance in this writ petition as he was not aware about his having been forced to avail compensatory leave; That petitioner was under the bona fide assumption that respondent No.3 has been transferred in place of petitioner at Sub Depot, Paonta Sahib, and petitioner is going to be transferred to some other place. Learned counsel further submits that in view of the submissions made by learned counsel for respondent No.1 & 2 and the office instructions dated 05.05.2021, the proceedings in this writ petition though be closed, but liberty be reserved to the petitioner to avail appropriate remedy in accordance with law for his grievances that he has been forced to go on compensatory leave.

4. Reserving liberty as prayed for, the present petition to stand disposed of. Pending miscellaneous applications, if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

06th October, 2026(rohit)