

HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

OFFICE ORDER

Whereas Sh. Partap Singh, Sr.Asstt. while posted in HPPWD Divn. Shillai has been transferred to HPPWD Divn. Kangra against vacant post vide this e-office order No.623053 dated 26.05.2025 with the prior approval of competent authority conveyed vide U.O.No. Secy/CM/22059/2022/2022-VIP-A-191181 dated 16.05.2025.

And whereas, feeling aggrieved against these orders the official has filed CWP No.9486/2025 titled Partap Singh Vs State of HP & others before the Hon'ble High Court which has been decided on 06.06.2025 by permitting the petitioner to make a representation to respondent No.1/competent authority within two days from the date of issuance of judgement passed by Hon'ble High Court giving clear option of places falling in two districts where posts are lying vacant, whereafter, the same shall be considered and decided by respondent No.1/competent authority in accordance with law and applicable transfer policy within three days thereafter.

And whereas, the representation of the petitioner considered and rejected vide this office order No. PBW-B018(109)/1/2024-ESTT.- I BRANCH-PUBLIC WORKS DEPARTMENT PWD HQ-Part(3)/I/640838 dated 26.06.2025 on the grounds that the official has already served in HPPWD Divn. Shillai being his home station for more than 15 years and liable to be posted anywhere in the state as per transfer policy where department has its own organization.

And whereas, the petitioner feeling aggrieved against this order again appeared before the Hon'ble High Court vide his CWP No. 10477/2025 which has been decided on 01.07.2025 wherein the Hon'ble High Court has passed the following orders:

5. True, it is that at the first instance, petitioner failed to make mention of the stations where he could be posted, but at the time of filing representation in terms of order dated 6.6.2025, petitioner indicated as much as five stations as is evident from impugned order and as such, he could have been posted at one of the stations.

As per impugned order, two posts were lying vacant in HPPWD Sub Division Ronhat and three posts were available in HPPWD Shimla Division-III, if it is so, petitioner herein, who admittedly had served the hard area for more than fifteen years could have been posted in one of the afore stations.

6. Consequently, in view of the above, present petition is allowed and impugned transfer order dated 26.05.2025 is quashed and set-aside with direction to the respondents to consider and decide representation of the petitioner afresh, taking note of the observations made herein above as well as transfer policy formulated by Government of Himachal Pradesh, which certainly enables an employee to seek transfer to a station of his choice after his having completed normal tenure of posting in hard/tribal area. Needless to say, authority concerned while doing the needful in terms of the instant order shall afford an opportunity of hearing to the petitioner and pass speaking order thereupon. Till the time, fresh orders are passed by the competent authority, petitioner shall not be compelled to join at the transferred stations. Pending application(s), if any, shall also stand disposed of.

And whereas, in compliance to the orders passed by the Hon'ble High Court of Himachal Pradesh, the official has directly submitted his representation in this office on 09.07.2025 wherein the petitioner has requested to adjust him in HPPWD Shimla Divn.No.III/Solan Divn./Poanta Divn./Sub-Divn. Ronhat/HPPWD 12th Circle Nahan and Nahan Divn., vacancy position of Sr.Asstt. in these offices are as under:-

Office Name	Sanctioned Strength	Existing Strength	Vacancy
HPPWD Shimla Divn.No.III	13	10	3
HPPWD Divn. Solan	8	8	0
HPPWD Divn. Paonta	8	8	0
HPPWD Divn. Shillai (Sub-Divn. Ronhat)	10	8	2
HPPWD 12 th Circle Nahan	8	8	0
HPPWD Divn. Nahan	6	6	0

And whereas, complete incumbency of Sh. Partap Singh, Sr. Asstt. is as under: -

Name	From	To	Station
Partap Singh D.o.B-07-02-1974 D.o.A-01-01-2004	09-01-07	01-10-16	Shillai Divn.
	03-10-16	13-04-18	NH Divn.Solan
	16-04-18	to date	Shillai Divn.

And whereas, it is evident from the above incumbency that the petitioner Sh. Partap Singh, Sr.Asstt. has already served more than 15 years in HPPWD Divn. Shillai and completed his normal stay there. **Moreover, it is also added that the Govt. of HP vide its notification for common Recruitment & Promotion Rules of Sr.Asstt. bearing No. Per (AP)-C-A (3)-3/2007-I Dated: Shimla-02, 11th November, 2021 at Page No. 3 Point No. 8 has also been mentioned the Tribal/Difficult Areas of Distt. Sirmour which are reiterated as under: -**

8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.

Hence, in view of above, HPPWD Divn. Shillai does not fall under the hard area of Distt. Sirmour.

Now therefore, in view of above position, the representation of Sh. Partap Singh, Sr. Asstt. is hereby considered and accepted. Accordingly, Sh. Partap Singh, Sr.Asstt. who is under order of transfer from HPPWD Divn. Shillai to HPPWD Divn. Kangra vide this office order No. .623053 dated 26.05.2025 is hereby adjusted in HPPWD Shimla Divn.No.III against vacant post (his station of choice) without TTA/JT with immediate effect in the public interest.

May inform the petitioner accordingly.

Regd:-

Sh.Pratap Singh,
S/o Late Sh. Gulab Singh,
R/o Village-Daya, P.O & Tehsil Shillai,
Distt. Sirmour.

Signed by

Narinder Pal Singh

Date: 18-07-2025 18:26:47

(Er.Narinder Pal Singh)
Engineer-in-Chief,
HPPWD Shimla-2.

Copy is forwarded to the followings for information and necessary action: -

1. The Secretary (PW) to the Govt. of HP Shimla-2.
2. All the Chief Engineer concerned in HPPWD.
3. All the Superintending Engineer concerned in HPPWD.
4. All the Executive Engineer concerned in HPPWD.
5. The District Attorney, HPPWD Shimla-2.
6. The Nodal Officer (IT) with direction to upload the same on departmental website.
7. Guard File.

Signed by Vijay Kumar

Dhiman

Date: 18-07-2025 18:35:47

(Vijay Dhiman)

Registrar,

HPPWD Shimla-2.