

HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

OFFICE ORDER

Whereas, Sh. Dinesh Kumar, Supdt.Gr.II. while posted in HPPWD Elect. Divn. Palampur has been transferred to HPPWD LAO Kangra vide this office order No.3991-4000 dated 25.06.2025 with the prior approval of competent authority. Feeling aggrieved against these order Sh. Dinesh Kumar Supdt.Gr.II. has filed CWP No.10402 of 2025 titled Dinesh Kumar Vs. State of HP & Others before the Hon'ble High Court of HP Shimla which has now been decided by the Hon'ble Court on 28.07.2025 with the following Judgements: -

4. I have heard learned counsel for the parties and considered the case file. The incumbency position of the petitioner given in the instructions dated 08.07.2025 is as under

08-01-1998	05-10-2009	Palampur Divn.
06-10-2009	05-05-2013	Bajnath Divn.(Panchrukhi Sub Divn)
06-05-2013	05-06-2014	5th Circle Palampur
05-06-2014	25-09-2017	Jaisinghpur Divn.
25-09-2017	25-06-2018	Kangra Divn.
26-06-2018	01-10-2022	Sub-Divn.Panchrukhi under Bajnath Divn.
06-10-2022	to date	Elect.Divn. Palampur

Incumbency of respondent No.3 placed on record by the learned Deputy Advocate General is as under:

29-08-1998	08-07-2003	Kangra Divn
09-07-2003	01-06-2008	5th Circle Palampur
01-07-2008	01-03-2010	Elect.Divn Palampur
03-04-2010	16-04-2010	CMU Dharamshala
16-04-2010	30-05-2011	CE(N) Dharamshala
31-05-2011	01-07-2023	Elect.Divn Palampur
01-07-2023	26-06-2025	LAO Kangra
26-06-2025	to date	Elect.Divn Palampur

From the above incumbency position of the petitioner, it becomes evident that the petitioner has throughout remained posted only in District Kangra. In fact, he has served at Palampur station, district Kangra (present place of posting) for more than 12 years, out of his total 27 years of service. Petitioner's contention of his having short stay at Palampur station, therefore, is not tenable. In fact, petitioner has completed almost three years at Palampur station even from his current date of appointment there, i.e. 06.10.2022. Petitioner's assertion about his being a couple case and therefore entitled to concession under Clause 5.4 of the transfer policy, cannot be accepted given the fact that the respondent-State has accommodated him for over 12 years of service at one place-Palampur. Further, the petitioner belonging to State cadre, has been allowed to remain only in District Kangra. The concession/benefit cannot be granted to the petitioner forever. Under the impugned office order, the petitioner has been transferred once again within District Kangra, i.e. from Palampur to

Kangra, which is stated to be at a distance of about 35 kilometers from his present place of posting.

Nonetheless, the fact cannot be ignored that respondent No.3 has also been serving only in District Kangra. He has also served for 19 years at Palampur station in District Kangra. In fact, learned Deputy Advocate General has placed on record copy of D.O. Note No.18064 , dated 14.02.2025, approving transfer of respondent No.3 at petitioner's place of posting. Copy of a U.O. note issued on 1.10.2022 has also been placed on record, whereunder, petitioner was beneficiary & transferred on that basis to HPPWD Palampur. It is evident that both the petitioner and respondent No.3 are interested to serve only in District Kangra and within that District also at one particular place,viz. Palampur. Their entire service has been rendered in District Kangra with major tenure at Palampur. They both are beneficiaries of D.O./U.O. notes in past.

5. In view of above, the impugned office order dated 25.06.2025 (Annexure P-1), relocating them in District Kangra deserves to be interfered with. It is accordingly quashed and set aside. Respondent No.2 is directed to consider the respective cases of the petitioner and respondent No.3 for transfer afresh in accordance with law and applicable transfer policy as also keeping in view the incumbency position of both the incumbents as noticed above. This exercise be carried out within a week from today.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

List for compliance on 06.08.2025.

However, at present the vacancy position of Supdt.Gr.II. in various offices of HPPWD is given as under:-

Sr.No.	Office Name	Distt.	Vacancy
1.	Dalhousie Divn.	Chamba	1
2.	Salooni Divn.	Chamba	1
3.	Killar Divn.	Chamba	1
4.	Fatehpur Divn	Kangra	1
5.	Mech.Circle Dhramshala	Kangra	1
6.	Dodrakwar Divn.	Shimla	1
7.	Bharwain Divn.	Una	1

Now, therefore, in compliance of the Hon'ble Court Judgement, both officials have completed their most of the service in Distt. Kangra and required to be transferred to any other office of HPPWD as per observation of Hon'ble High Court as well as per transfer policy of the State as both officials has rendered their major tenure at Palampur station. Accordingly with the prior approval of competent authority, transfer order of these Supdt.Gr. II. i.e petitioner as well as respondent are hereby ordered as under with immediate effect in the public interest:

Sr. No.	Name	From	To	Remarks
1.	Sh. Manoj Kumar	HPPWD LAO Kangra	HPPWD Divn. Bharwain	With TTA/JT
2.	Sh. Dinesh Kumar	HPPWD Elect. Divn. Palampur	HPPWD Divn. Dalhousie	With TTA/JT

May inform the petitioner accordingly.

Signed by
Narinder Pal Singh
Date: 05-08-2025 15:26:07

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

Regd:-

Sh. Dinesh Kumar,
S/o Sh. Lal Chand, R/o Village Gungeri,
Post Office Lahat, Tehsil Jaisinghpur,
District Kangra, H.P.

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

- 1. The Advocate General, HP Shimla-171001.
- 2. All the Chief Engineer/SE/EE concerned in HPPWD.
- 3. The Nodal Officer (IT) with direction to upload the same on departmental website.
- 4. Guard File.

Signed by
Vijay Kumar Dhiman
Date: 05-08-2025 15:30:16
(Vijay Dhiman)
Registrar,
HPPWD Shimla-2.