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Himachal Pradesh
Public Works Department

#OFFICE ORDER#

Whereas, Sh. Mast Ram son of Sh. Chhajju Ram, Ward Number 04, Ghiundhar, Teshil Sadar Mandi, Rewalsar, Distt Mandi (HP) is presently working as a Jr. Tech. (Work Inspector) under HPPWD (B&R) Division Chenab Valley at Udaipur has filed a C.W.P No. 9369 of 2025 (Execution No 457 of 2026) titled as Mast Ram Vs. State of H.P & ors before the Hon'ble High Court of H.P. for transfer from HPPWD., B&R Division Chenab Valley at Udaipur to station of his choice . The case was lastly listed before the Hon'ble High Court of Himachal Pradesh Shimla on 05.06.2025, when following order has been passed:-

Through instant petition, the petitioner has prayed for issuance of directions to the respondents to consider and decide his representation dated 18.5.2025 (Annexure P-3) whereby he has prayed for his transfer from present place of posting, i.e, Udaipur Division (under Keylong Sub Division), Lahaul and Spiti, H.P to the station of his choice mentioned in the representation on account of his having completed normal tenure of posting at the present place of posting, i.e., hard/tribal area.

2. Having regard to the nature of prayer and order proposed to be passed in the instant petition, this Court sees no necessity to call for the reply from the respondents, who are otherwise represented by Mr. Ravi Chauhan, learned Deputy Advocate General. While accepting notice on behalf of the respondents, learned Deputy Advocate General states that though in terms of transfer policy, an employee after his/her having completed normal tenure of posting in hard area, i.e., two winters and three summers is required to be transferred to one of station of his/her choice but in the instant case petitioner is yet to complete his normal tenure of posting. He further states that the petitioner shall be completing his tenure of posting at the present place of posting after four months in the month of October, 2025 and as such, the present petition being premature deserves to be rejected.

3. It is not in dispute that in terms of transfer policy, an employee after his/her having completed normal tenure of posting in hard area,

i.e., two winters and three summers is entitled to be transferred to soft area or other station of his/her choice coupled with the fact the petitioner has already completed more than two years and eight months, i.e., two winters and three summers at present place of posting, this Court sees no impediment in accepting the innocuous prayer made by the petitioner for consideration of his representation by the competent authority in a time bound manner.

4. Consequently, in view of the above, respondents are directed to consider and decide the pending representation (Annexure P-3) of the petitioner expeditiously, preferably within a period of four months. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass speaking order having taken note of the transfer policy formulated by the Government of Himachal Pradesh. Pending applications, if any, also stand disposed of.

Whereas, the order was not brought to the notice of this office by the petitioner at any part of time nor any communication about the direction passed by the Hon'ble Court was received from any other office. Though the petitioner has moved a representation dated 18.05.2025 directly to the undersigned without sending the same through proper channel, but the petitioner never disclosed in the said representation that the aforesaid directions have been issued by the Hon'ble Court. The representation dated 18.05.2025 was returned to the petitioner with the direction through vide this office letter dated 22.05.2025 to submit the representation through proper channel.

Whereas, it was only after, the execution petition filed by the petitioner that this office was intimated by the O/o Ld. Advocate General . Upon this the matter was dealt with and as per direction passed by the Hon'ble Court , the personal hearing to the petitioner was afforded on 06.04.2026. The petitioner during personal hearing reiterated the stand as taken in this petition & representation.

The record of the matter was also requisitioned and perusal of record shows that the petitioner is working at HPPWD B&R Division Chenab Valley at Udaipur since 12.10.2022 to till date. He has completed his normal tenure in tribal area and his request for transfer can not be said to be unjustified. The petitioner during personal hearing has given five station of his choice which are as under:-


Sr. No.	Name of station of Choice
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1	HPPWD B&R Division Manali
2	HPPWD B&R Division Nerchowk
3	HPPWD B&R Division Kullu
4.	HPPWD B&R Division Mandi Division No-II
5	HPPWD B&R Division Sundernagar

The post as Jr. Tech. (Work Inspector) Manali is lying vacant at HPPWD B&R Division Manali where the petitioner can be adjusted.

Accordingly, the prayer /representation of the petitioner is considered and allowed. The petitioner is ordered to be transferred from HPPWD B&R Division Chenab Valley at Udaipur to HPPWD B&R Division Manali against vacancy of Jr. Tech. (Work Inspector). However, he shall not be entitled to TTA/JT.

May inform the parties accordingly.


(Er. Narinder Pal Singh)
 Engineer-in-Chief,
 HPPWD., Shimla-02.


Registered:-

Sh. Mast Ram S/o Sh. Chhaju Ram,
 Ward Number 04, Ghiundhar,
 Teshil Sadar Mandi, Rewalsar,
 Distt Mandi H.P (HP)

No.-PBW-B020(83)/19/2026-ESTT-III 02-08 **Dated:- 6-4-2026**

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

1. The Superintending Engineer 6th Circle HPPWD Kullu.
2. The District Attorney in this office alongwith case file.
3. The Executive Engineer, HPPWD B&R Division Chenab Valley at Udaipur. The substitute will be posted separately.
4. The Executive Engineer HPPWD B&R Division Manali.
5. The Executive Engineer (IT), HPPWD Shimla-02.
6. Guard file.


(Som Bhardwaj)
 Registrar,
 HPPWD Shimla-02.