

HIMACHAL PRADESH  
PUBLIC WORKS DEPARTMENT

**Whereas**, Sh. Shyam Lal, Sr.Asstt. while posted in HPPWD Divn. Nalagarh (Sub Divn. Ramshahar) was transferred to the O/o Engineer-in-Chief, HPPWD Shimla-2 vide office order No. PBW-B018(109)/2/2025-ESTT.- I Shimla Comp. No.276957 dated 23.09.2025 with the prior approval of competent authority. Feeling aggrieved against these order Sh. Shyam Lal, Sr.Asstt. filed CWP No. 15649/2025 before the Hon'ble High Court which has been decided on 26.09.2025 with the following orders:-

**3. Having regard to the nature of prayer and order proposed to be passed, this Court sees no necessity to call for reply on behalf of the respondents, who are otherwise represented by Mr. Ravi Chauhan, learned Deputy Advocate General. Learned Deputy Advocate General fairly states that representation, if any, filed by the petitioner on account of his nearing retirement for his adjustment at nearby station, shall be considered in accordance with law.**

**4. True it is that it is the sole prerogative of the employer to post an employee at a particular station, but once transfer policy formulated by the Government of Himachal Pradesh prescribes for minimum tenure of three years at one station, coupled with the fact that petitioner herein is about to retire within a period of one year five months, this Court sees reason to interfere with the impugned transfer order, which otherwise appears to have been passed in violation of transfer policy for two reasons i.e. (i) petitioner has not been permitted to complete his normal tenure of posting and (ii) petitioner is nearing retirement. As per transfer policy formulated by the Government of Himachal Pradesh, an employee nearing retirement or having less than two years to retire, is required to be given posting at the station of his choice.**

**5. Consequently, in view of the above, the present petition is allowed and impugned order dated 23.09.2025 (Annexure P-2), is quashed and set aside. The respondents are directed to ensure that petitioner is permitted to work at the present place of posting, but in case he is required to be transferred from the present place of posting in public interest, he may be given posting at one of the stations of his choice on account of his nearing retirement.**

**Pending applications, if any, also stand disposed of.**

**And whereas** upon receipt of these orders and in compliance to the direction passed by Hon'ble High Court, the applicant was

summoned for personal hearing on dated 14-10-2025 at 10:30 AM. On the date fixed, the petitioner appeared in person and made his oral as well as written statement. In his statement, the applicant has submitted that he is posted in HPPWD Sub-Divn. Ramshahar under Divn. Nalagarh since 12.03.2024 and has completed only 1 year 6 months 24 days and has not yet completed his normal stay i.e three years. Further, he submitted that he has left with only 1 year 3 months for superannuation, hence, be retained in HPPWD Sub-Divn. Ramshahar or transferred to HPPWD Divn. Nalagarh/HPPWD Sub-Divn. Nalagarh under Divn. Nalagarh.

**And whereas**, complete incumbency of Sh. Shyam Lal, Sr.Asstt. is as under:

| Name  | From              | To             | Station                               |
|---|-------------------|----------------|---------------------------------------|
| Sh. Shyam Lal<br>D.o.B-02.01.69<br>D.o.A-01.01.01 | 01.01.2001        | 11.08.2008     | Arki Divn.                            |
|   | 01.09.2008        | 01.09.2011     | Nalagarh Divn.                        |
|   | 01.09.2011        | 29.05.2014     | Kasuali Divn.                         |
|   | 29.05.2014        | 15.09.2018     | Nalagarh Divn.                        |
|   | 17.09.2018        | 03.06.2019     | Bilaspur Divn.No.2                    |
|   | 03.06.2019        | 19.05.2022     | Nalagarh Divn.                        |
|   | 08.06.2022        | 11.03.2024     | Arki Divn.                            |
|   | <b>12.03.2024</b> | <b>To date</b> | <b>Nalagarh Divn. (Ramshahar S/D)</b> |

It is evident from above position that incumbent has left with 1 year 5 months service for superannuation as he will retire on 31.01.2027.

**Now therefore**, in view of above position, the representation of Sh. Shyam Lal, Sr. Asstt. is hereby considered and accepted on the grounds as adduced above. Accordingly, in supersession of office order issued earlier vide No. PBW-B018(109)/2/2025-ESTT.- I Shimla Comp. No.276957 dated 23.09.2025 & No. PBW-B018(109)/2/2025-ESTT.- I (Comp.No.276957) dated 01.10.2025, the transfer/ adjustments of Senior Assistants is hereby ordered as under: -

| SrNo. | Name              | From  | To  | Remarks                               |
|-------|-------------------|---|---|---------------------------------------|
| 1.    | Ms. Monika Sharma | U/t from Elect. Divn. Una to HPPWD Divn. Nalagarh vice Sh. Balkrishan | Order cancelled.  | -                                     |
| 2.    | Sh. Shyam Lal     | HPPWD Sub-Divn. Ramshehar under Divn. Nalagarh                        | HPPWD Divn. Nalagarh Vice Sr.No.3                           | Transferred to his station of choice. |
| 3.    | Sh. Balkrishan    | HPPWD Divn. Nalagarh  | HPPWD Sub-Divn. Ramshehar under Divn. Nalagarh Vice Sr.No.2 | Without TTA/JT                        |

May inform the official accordingly.

Signed by

Narinder Pal Singh

Date: 27-10-2025 18:14:33  
(Er. Narinder Pal Singh)  
Engineer-in-Chief,  
HPPWD Shimla-2.

**Regd.**

Sh. Shyam Lal  
S/o Sh. Mohan Singh,  
R/o Village Badhal, Post Office Lagdaghat,  
Tehsil Ramshehar, District Solan, H.P

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**No. PBW-B018(109)/2/2025-ESTT.- I (Comp.No.276957) dated**

Copy to the following for information and necessary action: -

1. The Advocate General, HP Shimla.
2. The Secretary (PW) to the Govt. of HP Shimla-2.
3. The Chief Engineer concerned in HPPWD.
4. The Superintending Engineer, concerned in HPPWD.
5. The Superintending Engineer, concerned in HPPWD.
6. The District Attorney in this office.
7. The Executive Engineer, concerned in HPPWD.
8. The Nodal Officer (I.T) HPPWD Shimla-2 for uploading the same on departmental website.
9. Guard File.

Signed by

Vijay Kumar Dhiman

Date: 27-10-2025 18:40:50  
(Vijay Kumar Dhima)

Registrar,

HPPWD Shimla-2.