

Government of Himachal Pradesh
Public Works Department

No. PWD-A-E0 (3)-16-2025 Dated, Shimla-2, the

02.02.2026

ORDER

WHEREAS, Sh. Tej Singh Patyash, Assistant Engineer (Civil), was transferred from O/o Chief Engineer Mandi Zone to HPPWD Sub Division Janjehali vice Sh. Banti, Assistant Engineer (Civil) & vice versa, vide this department notification No. PWD-A-B0(6)-23/2025 dated 04.12.2025 and in compliance thereof, both the officers joined their duties at new place of posting on 07.12.2025 and 27.12.2025 respectively. But feeling aggrieved with this transfer order dated 04.12.2025, Shri Banti, Assistant Engineer (Civil) filed a CWP No 19669/2025 which was disposed by the Hon'ble High Court on 22.12.2025 with following operative directions:-

"Petitioner herein, who is working as Assistant Engineer in the Himachal Pradesh Public Works Department, Sub Division Janjheli, is aggrieved of order dated 4.12.2025, whereby he has been transferred from afore station to AE (D) o/o Chief Engineer Mandi Zone.

2. Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by learned counsel for the petitioner is that he has been not permitted to complete his normal tenure at present place of posting, rather has been transferred within a short span of one year and two months.

1. Pursuant to notices issued in the instant proceedings, respondents have placed on record instructions dated 19.12.2025, issued under the signature of Additional Secretary (PW), to the Government of Himachal Pradesh. Besides above, Dr. Lalit Sharma, Advocate, has put in appearance on behalf of respondent No.2. Mr. Rajan Kahol, learned Additional Advocate General while referring to the instructions, as detailed herein above, states that petitioner has remained posted throughout in Mandi District, save and except for a short stay at Palampur. Though he had joined HPPWD, 5th Circle Palampur on 14.3.2024, but again, he was transferred to Janjehli

2. Having carefully perused instructions placed on record, this Court finds that petitioner has mostly remained posted in District Mandi and prior to his transfer to Janjehli, he was

transferred within short span of six months, but at the relevant time, no objection was ever raised by the petitioner because such order suited him

3. Since petitioner remained posted throughout In District Mandi, save and except for short stint at Palampur, this court sees no reason to interfere with the impugned transfer order, however, having taken note of his adverse family circumstances, as came to be apprised to this Court during the proceedings of the case, this court without going into the merits of the case, deems it fit to dispose of the present petition, reserving liberty to the petitioner to file representation to the respondents/competent authority within two days for his adjustment at convenient place, which in turn shall be decided by the competent authority, expeditiously, preferably, within one week. Ordered accordingly. 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 detailed speaking order thereupon taking note of the transfer policy, which enables an employee to seek transfer, on account of adverse family circumstances. Till the time, representation, if any, filed within two days is decided by the competent authority, petitioner shall not be compelled to join at the transferred station. Interim order dated 11.12.2025 stands vacated. All pending applications stand disposed of"

AND WHEREAS, in compliance with the directions of the Hon'ble High Court, the applicant submitted a representation dated Nil to the Government for considering his adjustment against one of the following choice stations in view of his family circumstances:-

1. HPPWD Sub Division JLNGE, College, Sundernagar.
2. HPPWD Division Thalout at Pandoh against longer stayee.
3. HPPWD Division Sundernagar against longer stayee.
4. HPPWD Sub Division Katrain against the vacancy arising due to the retirement of Sh. K.D Kashyap, AE on 31.01.2026.

AND WHEREAS, before considering the matter, the applicant was afforded an opportunity of being heard on 28.01.2026 when the applicant appeared in person and stated that he has been transferred

within a short tenure and requested to consider his adjustment against one of his choice stations in view of his family circumstances;

AND WHEREAS, as per record, the incumbency of officer is as under:-

Name of office/D.O.B/Home Sub Division	Place of Posting
Banti/06.03.93/GR/Mandi	JE Divl Banjar AE Regular O/o ENC HPPWD on 23.01.2024 26.2.24 Mkt Board Kangni Mandi 27.2.24 not joined AE (D) 5 th Circle Palampur 14.03.24 to 21.09.2024 S/D Janjehli 22.09.2024 to 14.12.25 O/o Chief Engineer Mandi 27.12.25 to date

That above incumbency reveals that the officer has remained posted in Mandi District for maximum duration of his service period as has also been observed by the Hon'ble Court in the aforesaid orders. As regards his grievance that he has been transferred from HPPWD Sub Division Janjehali after a short tenure, as per transfer Policy Guidelines 2013, the condition of short stay is not applicable for Class-I officers.

AND WHEREAS, the applicant during hearing expressed that in case it is not feasible to cancel his transfer, in that eventually he may be adjusted against one of the choice stations mentioned by him in his representation in view of his family circumstances;

AND WHEREAS, the undersigned has gone through record of the case, representation of the applicant as well as submissions made during the course of the personal hearing and found that one post of

Assistant Engineer (Civil) in HPPWD Sub Division Jawaharlal Nehru Government Engineering College, Sundernagar, District Mandi is lying vacant at present and in view of his representation, he can be considered to be posted/adjusted to which the officer also expressed his consent during hearing;

NOW THEREFORE, in the light of above discussion, Sh. Banti, Assistant Engineer (Civil) O/o Chief Engineer Mandi Zone is transferred and posted in HPPWD Sub Division Jawaharlal Nehru Government Engineering College, Sundernagar, District Mandi against vacancy with immediate effect. The applicant is directed to join his duties at new place of posting within 03 days positively.

(Devesh Kumar)
Principal Secretary (PW) to the
Government of Himachal Pradesh.

REGISTERED

Shri Banti, Assistant Engineer (Civil)
O/o Chief Engineer Mandi Zone. HP.

Copy for information and necessary action is forwarded to:

1. The Engineer-in-Chief, H.P. PWD, Nirman Bhawan, Shimla
2. The Superintending Engineer HPPWD Division 1st Circle Mandi, District Mandi. HP
3. The Executive Engineer, HPPWD Division Sundernagar.

Surjeet Singh Rathore
(Surjeet Singh Rathore)
Additional Secretary (PW) to the
Government of Himachal Pradesh.