



CGHC010387352026



2026:CGHC:42901

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7226 of 2026

Durga Prasad Khairwar S/o Late Mahadeo Khairwar, Aged About 35 Years Working As Office Assistant Grade-I I, Sub-Division Pandariya, Chhattisgarh State Power Distribution Company Limited, Pandariya Division, Distt. Kabirdham(C.G.)

... **Petitioner(s)**

versus

1 - Chhattisgarh State Power Distribution Company Limited Through Its Managing Director, Vidyut Sewa Bhawan, Danganiya, Raipur Distt. Raipur (C.G.)

2 - Executive Director, (O/ M), Chhattisgarh State Power Distribution Company Limited, Vidyut Sewa Bhawan, Danganiya, Raipur Distt. Raipur (C.G.)

3 - The Superintendent Engineer, Office Of Executive Director, C.S.P.D.C.L. Vidyut Sewa Bhawan, Daganiya Raipur Distt. Raipur (C.G.)

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4 - Assistant Engineer, C.S.P.D.C.L. Pandariya Sub-Division, Pandariya Distt. Kabirdham (C.G.)

5 - Executive Engineer, C.S.P.D.C.L. Pandariya Division, Pandariya Distt. Kabirdham (C.G.)

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s) : Shri Bharat Lal Dembra, Advocate

For Respondent(s) : Shri Varun Sharma, Advocate

(Hon'ble Shri Justice Bibhu Datta Guru)

Order on Board

05.10.2026

1. The petitioner has filed the present writ petition seeking, *inter alia*, a direction to the respondents to give effect to the order of transfer dated 29.05.2026 (Annexure P/1) and to relieve him so as to enable him to join at his transferred place of posting.
2. Learned counsel appearing for the petitioner submits that the petitioner was initially appointed as a Assistant Grade-III in the year 2011 and was thereafter promoted and posted as Assistant Grade-II at Pandariya Division. By order dated 29.05.2026, issued by the Executive Director of the (O/M) Pandariya Division, the petitioner was transferred from the office of Executive Engineer (O/M) Division Pandariya to Office of Executive Engineer (O/M) Division-II Bilaspur and was

required to be relieved to enable him to join at the transferred place. It is submitted that despite the aforesaid order of transfer having been issued by the Executive Director, the petitioner has not been relieved and, consequently, has been unable to join at the place of his transfer. The petitioner has also made a representation in this regard, but no effective action has been taken. Hence, the present petition.

3. *Per contra*, learned counsel for the Respondents, on instructions, would submit that due to lack of employees in the present place of posting of the petitioner, the petitioner has not been relieved.
4. I have considered the submissions made and have perused the material available on record.
5. The short issue which arises for consideration is as to whether the petitioner can be denied the benefit of the transfer order dated 29.05.2026 (Annexure P/1), which continues to remain operative. Perusal of Annexure P/1 clearly shows that the order dated 29.05.2026 has been issued by the Executive Director, whereby the petitioner has been transferred from the office of Executive Engineer (O/M) Division Pandariya to Office of Executive Engineer (O/M) Division-II Bilaspur. The

said order is admittedly the order of the competent authority and, as on date, there is nothing on record to indicate that the same has either been cancelled, modified or otherwise withdrawn by the competent authority.

6. Once the competent authority has passed an order transferring and posting the petitioner at a particular place, and such order continues to remain in force, the respondents cannot keep the same unimplemented indefinitely. The petitioner is required to be relieved so as to enable him to join at the place of posting indicated in the transfer order. It is, of course, for the employer to take appropriate administrative measures regarding the placement and adjustment of its employees, as may be considered necessary in the exigencies of administration. However, such administrative considerations cannot, in the absence of any order modifying or cancelling the transfer order, furnish a ground for withholding the relieving of the petitioner and thereby rendering the subsisting order of transfer ineffective.
7. In the circumstances of the case, this Court is of the considered view that the petitioner is entitled to implementation of the order of transfer dated 29.05.2026

(Annexure P/1). The respondents are, therefore, duty-bound to take necessary consequential steps to relieve the petitioner so as to enable him to join at his transferred place of posting. Accordingly, the respondents are directed to take necessary steps for relieving the petitioner and to facilitate his joining at the Office of Executive Engineer (O/M) Division-II Bilaspur, pursuant to the transfer order dated 29.05.2026 (Annexure P/1), within a period of 20 (Twenty) days from the date of receipt of a copy of this order.

8. With the aforesaid direction, the writ petition is allowed to the aforesaid extent.

Sd/-

(Bibhu Datta Guru)
JUDGE

Shoaib