

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.11093 of 2026
Decided on: 07.07.2026

Vineet Kumar

... Petitioner

Versus

Himachal Pradesh Power Corporation Limited and others

... Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?¹

For the petitioner : Mr. Munish Datwalia, Advocate.

For the respondents : Mr. Pushpinder Jaswal, Additional Advocate General, for respondent No.1.
Mr. Hamender Singh Chandel, Advocate, for respondents No.2 and 3.

Ajay Mohan Goel, Judge (Oral)

Notice. Mr. Pushpinder Jaswal, learned Additional Advocate General and Mr. Hamender Singh Chandel, learned Counsel, accept notice on behalf of respondents.

2. The petitioner herein is aggrieved by the rejection of his representation seeking transfer from his present place of posting, which is in a tribal area to a soft area. The representation of the petitioner has been rejected on the ground that there is complete ban on the transfers imposed by the Department of Personnel, Government of Himachal Pradesh. A perusal of the pleadings demonstrates that the petitioner is serving at Reckong Peo as an

¹ *Whether reporters of the local papers may be allowed to see the judgment?*

Assistant Engineer (Electrical) since the year 2020. That being the case, obviously, as now the petitioner has completed more than five years in a tribal area, he has legitimate expectation of being transferred out of the said station and posted in a soft area.

3. Accordingly, in light of the fact that the respondent employer, while rejecting the representation of the petitioner, has observed that the case of the petitioner for transfer shall be considered after the ban on transfers is lifted, this petition is disposed of with the direction that the Authority concerned shall consider the case of the petitioner for his transfer out of the present place of posting and post him at some other station by passing appropriate order within a period of four weeks from today. It is clarified that ban imposed on the transfers shall not come in the way of the Authority in passing appropriate orders. This Court is not oblivious of the fact that the transfer of the petitioner may entail transfer of some other incumbent and plea of imposition of ban on transfers shall not come in the way of the authority in doing the needful in this regard.

4. With these observations, this petition stands disposed of. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

July 07, 2026
(Vinod)