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WP-5358-2026

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE MANINDER S. BHATTI

ON THE 20<sup>th</sup> OF FEBRUARY, 2026WRIT PETITION No. 5358 of 2026*JITENDRA RAI**Versus**MADHYA PRADESH POWER TRANSMISSION COMPANY LIMITED  
AND OTHERS*

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Appearance:

*Shri Dharmendra Patel - Advocate for the petitioner.*

*Shri Utkarsh Agrawal - Advocate for the respondents.*

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ORDER

This petition has been filed by the petitioner assailing the order dated 2.2.2026 (Annexure P-1) by which the petitioner, who is working as Line Attendant (contractual), has been transferred from T.L.M. Sub Division Damoh Subordinate Executive Engineer, Division Damoh to T.L.M. Sub Division Badwah Subordinate Executive Engineer, Division Badwah.

2. It is contended by the counsel for the petitioner that the petitioner is a contractual employee and the place of transfer is at a distance of about 500 Kms. It is also contended that recently vide order dated 27.6.2025, the petitioner was transferred to the present place of posting and within a period of about 8 months again the petitioner is being sought to be transferred. It is contended that the petitioner being contractual employee cannot be subjected to transfer to a distant place. It is further contended that the impugned transfer order has been issued in malafide exercise of powers, inasmuch as,



the present petitioner had made a complaint against an Assistant Engineer and the employer of the petitioner was of the opinion that the said complaint was baseless. It is further contended that the documents contained in Annexure P-4 and P-5 reflect that the order of transfer is punitive in nature, inasmuch as, the petitioner had highlighted some irregularities committed by an Assistant Engineer, however, to the misfortune of the petitioner, he himself has been made scapegoat. Another employee namely Mr. Ram Naresh Sonkar had filed a petition before this Court vide W.P. No. 5355 of 2026, which has been disposed of by a co-ordinate Bench of this Court vide order dated 16.2.2026 with direction to the Chief Engineer (Human Resource and Administration) M.P. Power Transmission Company Limited (respondent No. 2 herein) to take decision on the representation of the petitioner therein and interim protection was also granted till decision on the representation. It is, thus, contended that the respondents be directed to consider the grievance of the petitioner also. It is also contended that the respondents in their return made a futile attempt to mislead this Court as apparently the impugned transfer order has been issued in vindictive manner in order to punish the petitioner. Therefore, the impugned order of transfer as well as relieving order are liable to be set aside.

3 . Per contra, the counsel for the respondents has opposed the contentions raised by the counsel for the petitioner and submitted that the petitioner was engaged on contractual basis. The respondents have taken a decision to send certain employees to undergo a special training, which was being conducted at National Power Training Institute, Bangalore. It is



contended that as many as 5 employees including the petitioner were sent for the purpose of aforesaid training and the respondents have incurred the expenses to the tune of Rs. 3,00,000/- per employee. It is further contended that the said training was expensive and, therefore, all the employees who were deputed to undergo the aforesaid training, were duly intimated that they would be deputed looking to their requirement. The petitioner has undergone the aforesaid special training and under the said training live line maintenance is carried out through hot stick method and to undertake the said maintenance work, a crew of minimum 6 persons is required and at the place of transfer, there are only 5 persons specially trained for the purpose and therefore, keeping in view that the petitioner has undergone the said training vide Annexure R-4, petitioner has been transferred. The transfer of the petitioner is made purely on administrative ground and same does not warrant any interference. It is further contended that the stand of the petitioner that his transfer order has been issued as he made complaint against an Assistant Engineer, is baseless, inasmuch as, Mr. Manoj Kumar Tiwari, against whom the said complaint was made, has also been transferred to T.L.M. Sub Division Katni Subordinate Executive Engineer, Division Damoh vide order dated 2.2.2026 (Annexure R-5). Therefore, the allegation of malafide is in fact ill-founded and does not find any support from any material available on record.

4. No other point is argued or pressed by the counsel for the parties.

5. Heard submissions and perused the record.

6. The respondents have filed a detailed return in the case and in



paragraph 6 of the return it is stated as under:-

*"6. Stand of respondents on merits and justification of impugned order of transfer - It is specifically denied that as petitioner and other 3 Line Attendant had made complaint against higher officers of Company, as a counter blast to the same petitioner and other persons are transferred by way of impugned order. It is submitted that impugned order of transfer dated 02/02/2026 has been passed purely due to administrative exigency. It submitted that vide order dated 24/05/2024, petitioner was deputed for attending 11 weeks training programme on "Live Line Maintenance Technique LLMT" using Hot Stick Method (HSM) upto 220 KV lines. A copy of order dated 24/05/2024 in which name of petitioner finds mention at sr. No. 4, is filed herewith as Annexure - R/2. The answering respondent company has spent around Rs.3,00,000/- towards the said training. The said training is a special kind of Training for maintaining live lines and there is limited staff possessing the said training. The petitioner successfully completed the said training and to that effect a certificate is also issued to petitioner. A copy of certificate issued to petitioner is filed herewith as Annexure - R/4. It is humbly*



*submitted that present place of posting of petitioner is at TLM Sub Division Damoh under EE (EHT-Main) Division Damoh and at the said place presently, there are already 8 persons including petitioner possessing the said Hot Stick Training. The place where petitioner is transferred has only 5 persons trained with Hot Stick training. To do operation for live lines maintenance through Hot Stick Method, a crew of minimum 6 persons is required. Thus, there is acute need of petitioner at Barwaha considering his special training as Hot Stick mode. It is also relevant to mention at this juncture that Barwaha has Crew for Hot Stick operations. Hence, the transfer is purely for administrative reasons, thus, petitioner is required at place he has been transferred. As regards documents Annexure - P/7, P/8, P/9 and P/10 are concerned; it is specifically submitted that the said notices, reply etc. have nothing to do with impugned order of transfer and a the cost of repetition it is submitted that impugned order of transfer is purely on administrative ground. Further, Manoj Kumar Tiwari against whom complaint was made by petitioner and other Line Attendant, was also transferred vide order dated 02/02/2026. A copy of order dated 02/02/2026 is*



*filed herewith as Annexure - R/5. Thus, the ground of malice against answering respondents, fails for this reason."*

7. A bare perusal of aforesaid paragraph 6 of the return makes it abundantly clear that the petitioner is holding the post of Line Attendant (contractual) and therefore, his services are required at the place of transfer. It is also apparent that there exists dearth of concerned staff at the place of transfer, therefore, looking to the dire need of the petitioner's services, he has been transferred. It is also undisputed that the petitioner has undergone a special training at National Power Training Institute, Bangalore. It is further evident from perusal of order dated 24.5.2024 (Annexure R-2) that only 5 persons including the petitioner were deputed by the respondents to undergo the aforesaid training. A specific clause 9 was inserted in the said order, which is reproduced as under:-

*"9. Company is bearing appreciable amount to undertake Hot Line Training Course. In case the participants nominated for Hot Line Training Course leaves the services of the company, the company shall sustain heavy financial losses and it causes inconvenience, loss of resources and manpower etc. It is therefore, decided that participants deputed for Hot Line Training Course shall execute a service agreement-cum-surety bond on non-judicial stamp paper of Rs. 500/- only that they shall undertake for non-leaving the*



*services of MPPTCL for a minimum period of 5 years considering requirement of the company, otherwise participants shall be required to pay an amount of Rs. 3 lakhs towards the expenditure incurred on their training and compensation thereof. In case of the contractual employee, the period of minimum 5 year of service shall be calculated excluding the gap period of execution the contractual service agreement, as mentioned in clause No. 6 of MPPTCL contract service (agreement and service conditions) amended rule, 2018. It is also indicated that, if any employee leaves the Company on account of getting appointment in any other Successor Company of erstwhile MPSEB or otherwise, the provisions of above said service agreement-cum-surety bond shall be abide. A The CE (EHT-Maintenance), Jabalpur shall ensure to get execute the service agreement-cum-surety bond from the participants.*

*The nominated participants must be vaccinated two dose of COVID vaccine before departing for the training and will keep a copy of the vaccination certificates alongwith additional copies, so that it can be produced to NPTI at the time of training and participant without vaccination may not be allowed to participate in*



*the aforesaid training."*

8. A perusal of aforesaid makes it abundantly clear that the company had incurred a huge amount to undertake the hot line training course and accordingly the employees were informed that the work would be taken considering the requirement of the company, therefore, in view of the aforesaid clause only, the petitioner is being transferred to Badwaha where his services are required as he has undergone the aforesaid special Live Line Maintenance Training. It is further evident that the Assistant Engineer, against whom the complaint was made by the petitioner, has also been transferred, therefore, in the considered view of this Court, there exists no ground to question the impugned order in the present case.

9. The scope of interference with the order of transfer is limited which is settled by the Apex Court in catena of decision. [*See: Union of India and Others v. S.L. Abbas, (1993) 4 SCC 357, State Bank of India v. Anjan Sanyal and others, (2001) 5 SCC 508, Public Services Tribunal Bar Association v. State of U.P. and another, (2003) 4 SCC 104, State of U.P. and Others v. Gobardhan Lal, (2004) 1 SCC 402, Chaudhary and Others v. State of M.P. and Others, ILR (2007) MP 1329, Government of Andhra Pradesh v. G. Venkata 4 WP. No. 4738/2017 (Braj Kishore Paliwal Vs. State of M.P. and others) Ratnam, (2008) 9 SCC 345 and State of Haryana and Others v. Kashmir Singh and Another, (2010) 13 SCC 306*].

10. In view of the aforesaid, the impugned order of transfer having been passed in view of the administrative exigency taking into consideration the need of the services of the petitioner, does not require any interference.



This Court does not find any ground to entertain this petition.

11. Accordingly, the petition stands dismissed.

(MANINDER S. BHATTI)  
JUDGE

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