

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 23RD DAY OF JANUARY, 2026

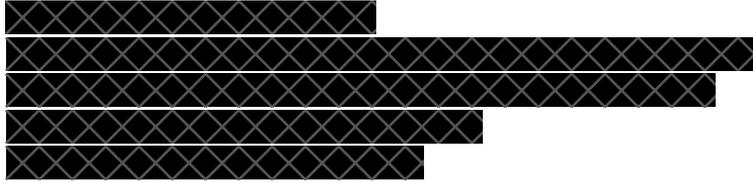
BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.100194 OF 2025 (S-KSRTC)

BETWEEN:

SHRI. CHANDRAKANTH Y.TORAVI



...PETITIONER

(BY SRI. RAGHUVeer R.SATTIGERI, ADVOCATE)

AND:

1. THE MANAGING DIRECTOR,
N.W.K.R.T.C., CENTRAL OFFICE,
GOKUL ROAD, HUBLI-580030.
2. THE CHIEF TRAFFIC MANAGER,
N.W.K.R.T.C., CENTRAL OFFICE,
GOKUL ROAD, HUBLI-580030.
3. THE DIVISIONAL CONTROLLER,
N.W.K.R.T.C., CHIKKODI DIVISION,
CHIKKODI-591201.
4. THE DEPOT MANAGER,
N.W.K.R.T.C., ATHANI DEPOT-591304,
CHIKKODI DIVISION, CHIKKODI.

...RESPONDENTS

(BY SRI. PRASHANTH S.HOSMANI, ADVOCATE FOR R1 TO R4)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 OF CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, QUASHING THE TRANSFER ORDER DATED 30.11.2024 IN NO.SAM.VA.KARASA/KEKA/SANCHAR/ADALITA/3723/2024 ISSUED BY THE RESPONDENT NO.2, IN SO FAR AS THE PETITIONER IS CONCERNED, PRODUCED AS PER ANNEXURE-A AND ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, QUASHING THE MOVEMENT ORDER DATED 02.01.2025 IN NO.SAM/VAKARASA/CHIVI/SIBBANDI/C-6/1898/24 ISSUED BY RESPONDENT NO.3 PRODUCED AS PER ANNEXURE-B AND ETC.,.

THIS WRIT PETITION, COMING ON FOR HEARING - INTERLOCUTORY APPLICATION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following prayers:

" i) Issue a writ in the nature of certiorari or any other appropriate writ, order or direction, quashing the transfer order dated 30.11.2024 in No. Sam. Va. KaraSa/Keka/Sanchar/Adalita/3723/2024 issued by respondent No.2, insofar as the petitioner is concerned, produced as per Annexure-A;

ii) Issue a writ in the nature of certiorari or any other appropriate writ, order or direction, quashing movement order dated 02.01.2025 in No.Sam/VaKaraSa/ChiVi/Sibbandi/C-/1898/24 issued by respondent No.3 produced as per Annexure-B;



iii) Issue such other appropriate writ or order or direction as deemed fit under the facts and circumstances of the case, in the interest of justice."

2. It is the case of the petitioner that, he was appointed as a Driver-cum-Conductor in the North West Road Transport Corporation (hereinafter referred to as 'Corporation') vide Government Order dated 30.05.2006 on temporary basis. Thereafter, the services of the petitioner were absorbed and regularized in the Corporation by order dated 12.10.2012 for having satisfactorily completed 2 years of probation. It is stated that the petitioner is presently working as a Driver-cum Conductor in Athani Depot, Chikodi Division, for the last 13 years, without any blemish in his service. It is stated that though the petitioner had received many awards from the respondent No.3 for the satisfactory service rendered in the Corporation, the order impugned was passed, whereby he was transferred on 30.11.2024 from Chikodi Division to Belagavi/Khanapur Division on administrative grounds. Along with other 43 employees, who were transferred on request, the petitioner is the only employee, who transferred without a request. It is further stated that pursuant to the transfer order dated 30.11.2024, respondent



No.4 passed a movement order on 02.01.2025 directing respondent No.5 to relieve the petitioner from Chikodi Division. It is stated that the employees of the respondent/Corporation are governed by the Karnataka State Road Transport Corporation (Cadre and Recruitment) Regulations, 1982. As per the said Regulations, the employees holding Division wise posts will be considered for promotion in respect of promotional vacancies in the Division wise posts in their respective Division only. In respect of the employees, who are transferred from one Division to another on administrative grounds, the entire service rendered by them in the Division, from which they are transferred shall count for seniority in the Division to which they are transferred and such transfers shall be resorted to sparingly. The employees who are transferred to another Division on request shall take seniority in the post held by them on such transfer from the date on which they report in the Division to which they are transferred. It is submitted that the Rules do not apply to them.

3. Learned counsel appearing for the petitioner submits that the respondents, without any basis, have transferred the



petitioner and having no other option, the petitioner has come up before this Court by filing the instant writ petition.

4. A Co-ordinate Bench of this Court on 13.02.2025, had granted the interim order as prayed for and the same is extended from time to time. The respondents have filed their objections stating that, after the order of transfer, the petitioner had joined Khanapur Division and is currently working in Khanapur, therefore, the present writ petition has become infructuous. It is further stated that the transfer is made on administrative grounds and that too in consonance with the Regulations of the Respondent/Corporation. The Corporation has the authority to effect the transfer on administrative grounds.

5. When the matter came up on the last occasion, this Court had posed a specific query to the respondent/Corporation as to what are the circular/guidelines, governing the transfer of the employees. The learned counsel, by way of memo dated 21.01.2026, has placed before this Court the Circular No.1565, dated 29.04.2015. It is submitted that, on administrative reasons, the respondents/Corporation have the power to transfer and as such, they have transferred the petitioner.



6. Having heard the learned counsels on either side, perused the material on record. The respondent is the Corporation. Admittedly, the petitioner is a Class-IV employee working in the Corporation at Chikodi Division from the last 13 years. It is not the case of the respondent/Corporation that usually there are general transfers of the Class-IV employees. As per the order impugned dated 30.11.2024, along with 43 employees, who had sought for transfer on request, the petitioner is transferred. In the said transfer list, the petitioner is the only person, who did not make any request for transfer. Even assuming that there is an administrative reason behind his transfer, the transfer order should contain the reasons and the petitioner cannot be singled out. Except the petitioner, no other employee is transferred on administrative grounds. The Circular, which the learned counsel for the Corporation is relying on, applies to the request transfers and the impugned order does not even contain any reasons as to why the petitioner is transferred and what are the reasons and exigencies. The submission of learned counsel for the respondent/Corporation that, as the petitioner has already joined Belagavi Division, nothing remains to be considered in this writ petition and he cannot question the



said order, has also no legs to stand. A Co-ordinate Bench of this Court has passed an order that, in the light of the fact that the petitioner has joined the transferred post and working since then, it would remain subject to the result of the writ petition. The petitioner being an employee of Respondent/Corporation, when transfer order is passed, he has no other option but to join the transferred place. But it would not disentitle the petitioner from questioning the action. Transfer of employees is a vital administrative tool for ensuring efficiency, integrity and smooth functioning of the Institution. However, when transfers are made arbitrarily or without uniform standards, they lead to dissatisfaction and the allegation of malafides. Hence, formulation and strict adherence to the transfer guidelines is a necessity rather than a mere administrative formality. Unfortunately, the Corporation do not have transfer guidelines in place. The transfer guidelines provide a structured framework that ensures fairness and transparency in decision making. The scope of arbitrariness is significantly reduced. The employees gain confidence that transfers are not punitive, discretionary but are based on rational considerations. It is consistently held by the Courts that while transfer is an incidence of services, it must



not be vitiated by malafides or arbitrariness. The transfer guidelines are very much essential for a fair, transparent and efficient administration. While the power to transfer remains with the employer, its exercise must be guided by well-defined norms to prevent arbitrariness. In the respondent/Corporation, thousands of employees are working. It is high time that the respondents shall formulate the transfer guidelines within three months from the date of receipt of the copy of the order. In the considered opinion of this Court, the impugned order passed by the respondent/Corporation is arbitrary without any basis, hence, the same is liable to be set-aside, insofar as the petitioner is concerned, who is at Sl.No.15.

7. Hence, this Court deems it appropriate to pass the following:

ORDER

- i) The writ petition is **disposed of** by setting aside the transfer order dated 30.11.2024 vide Annexure-A bearing No. Sam. Va. KaraSa/Keka/Sanchar/Adalita/3723/2024 and movement order dated 02.01.2025 in No. Sam/VaKaraSa/ChiVi/Sibbandi/C-6/1898/24,



insofar as the petitioner is concerned, who is standing at Sl.No.15 in the transfer order.

- ii) The respondent/Corporation shall formulate the transfer guidelines, even in case of Class-IV employees within a period of three months from the date of receipt of copy of the order.
- iii) Till such Circulars or transfer guidelines are in place, whenever a transfer is made on administrative grounds, the transfer order shall contain the reasons and necessarily be a speaking order.
- iv) All I.A.s in this writ petition shall stand closed.

**Sd/-
JUSTICE LALITHA KANNEGANTI**

JTR
CT: UMD
List No.: 1 Sl No.: 15