



1

WA-2652-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 27th OF OCTOBER, 2025

WRIT APPEAL No. 2652 of 2025

*THE JAWAHARLAL NEHRU KRISHI VISHWA VIDYALAYA
JABALPUR AND OTHERS*

Versus

DR. NITIN KUMAR SINGHAI AND OTHERS

.....
Appearance:

Shri Praveen Dubey - Advocate for appellants.

Shri K.C. Ghildiyal - Senior Counsel with Ms. Warija Ghildiyal - Advocate for respondents.
.....

ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

Appellants impugn order dated 08.07.2025 whereby the writ petition filed by the respondent challenging the transfer order dated 29.10.2024 has been allowed and the transfer order has been quashed.

2. Learned counsel appearing for appellants submits that not only the transfer order has been quashed, learned Single Judge has made observations in respect of the departmental enquiry, which has been initiated against the respondents. Learned counsel submits that the departmental enquiry or the initiation of departmental enquiry was not subject matter of the writ petition. However, the contention of the respondent was that the transfer is punitive in nature in anticipation of a departmental enquiry. He submits that several



observations on merits of the departmental proceedings have been made by the learned Single Judge which may have a bearing on the final conclusion of the departmental enquiry.

3. Issue notice.

4. Notice is accepted by learned counsel appearing for the respondents.

5. Learned Senior Counsel for the respondents fairly concedes that the challenge of the respondents was to the transfer order. Though his contention was that the departmental enquiry is not sustainable in view of the fact that respondents have not done any wrong and only complied with various sanctioned orders etc. He however, fairly concedes that the departmental enquiry was never under challenge in the said writ petition.

6. One of the prayers sought in the appeal by the appellants are with regard to the observations made by the learned Single Judge regarding merits of the proposed departmental enquiry.

7. We note that the transfer order dated 29.10.2024 is a simplicitor transfer order without giving any reason. However, the counter affidavit filed by the appellants before the learned Writ Court gave certain grounds for transfer which show that the transfer order was punitive.

8. Keeping in view the peculiar facts and circumstances of the case, we are not inclined to interfere with the impugned order insofar as it quashes the transfer order dated 29.10.2024 is concerned. However, we clarify that the observations made by the learned Single Judge on the merits of the conduct of the respondents or the proposed departmental enquiry are not sustainable as there was no such challenge to the departmental enquiry. Consequently,



we hold that the departmental enquiry, if any, proposed by the employer shall be conducted without being influenced by anything stated on merits of the conduct of the respondent in the impugned order dated 08.07.2025.

9. Needless to state that the respondent would be entitled to take such defenses, actions and remedies as may be permissible in law.

10. Appeal is disposed of in the above terms.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

m/-