

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1413 of 2015

1. Mukesh Kumar Jogi S/o Chait Ram Aged About 33 Years Working On The Post Of Rural Agriculture Extension Officer, Posted At R.A.E.O. Area Phoolbagdi, Block- Sukma, District- Sukma (Chhattisgarh) Permanent R/o - Village & Post- Jamgaon (M), P.S. & Tahsil- Patan, Civil And Revenue District- Durg (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Agriculture, Mahanadi Bhawan New Raipur, District Raipur (Chhattisgarh).
2. Additional Secretary, Department Of Agriculture, Mahanadi Bhawan New Raipur, District Raipur (Chhattisgarh)
3. Collector, Sukma, District - Sukma (Chhattisgarh)
4. Deputy Director Agriculture, Sukma, District - Sukma (Chhattisgarh)

---- Respondent

For Petitioner	Shri F.S. Khare, Advocate
For Respondent/State	Shri Bhaskar Payasi, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

28/08/2015

Heard learned counsel for the parties.

1. Petitioner is working as Rural Agriculture Extension Officer in the Department of Agriculture and has been transferred from Sukma to Balod.
2. In this petition under Article 226 of the Constitution of India the petitioner has prayed for quashment of the order dated 1-1-2015 and 15-1-2015 (Annexures – P/5 & P/6, respectively) on account of which the petitioner has not been relieved to join at the transferred place.
3. In the matter of **Smt. Mayanka Upadhyay v. State of Chhattisgarh & Others**, a coordinate bench of this Court has held that an employee working in the scheduled area when transferred to a non-scheduled area cannot be refused relieving on the ground that the reliever is not available.
4. The matter appears to be similar, therefore, in view of the decision of this Court in **Smt. Mayanka Upadhyay** (supra), the writ petition is allowed and the competent authority is directed to relieve the petitioner forthwith to join at the transferred place.
5. No order as to costs.

Sd/-

Judge

Prashant Kumar Mishra