

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1829 of 2013

- Nirmal Kumar Soni S/o S.S.Soni, aged about 47 years, O/o Executive Engineer, Hasdeo Barage, Water Resources Department, Rampur, Thana Korba, Distt Korba (C.G.)

---- Petitioner

Versus

- State Of Chhattisgarh Through Secretary, Water Resources Department, Naya Raipur, Mantralaya, Raipur (C.G.)
- Chief Engineer Minimata (Hasdev) Bango Project, Bilaspur (C.G.)
- Executive Engineer, Hasdev Barradge, Jal Prabandh Sambhag, Rampur, Korba (C.G.)

---- Respondent

For Petitioner	Mr. Vinod Deshmukh and Mr. KPS Gandhi, Advocates.
For Respondent/State	Mr. Majid Ali, Panel Lawyer for the State.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

02/07/2015

Heard finally with the consent of learned counsel for the parties.

2. The petitioner has assailed the legality and validity of the impugned order – Annexure P/1 passed by the Executive Engineer, Hasdev Barradge, *Jal Prabandh Sambhag*, Rampur, Korba, directing the posting of the petitioner from the office of Divisional Office to the office of Sub Divisional Office, Hasdeo Electrical/Mechanical (R &R) Sub Division, Darri.

3. Learned counsel for the petitioner would submit that there is no post of

Steno-typist at the transferred place, therefore, the petitioner, who is a Steno-typist, should not have been shifted to Sub Divisional Office, Darri.

4. A reading of the impugned order would indicate that at the present place of posting i.e. in the Divisional office also, the petitioner is assigned the job of Steno-Clerk, therefore, at this place also, he is not working as Steno-typist. Even otherwise, the petitioner's new place of posting is a closely situated office in the same township.

5. Considering the limited scope of interference in the matters concerning transfer and posting of government servants and for the fact that the impugned order appears to be a posting order to a nearby place and not to a far away place, this Court does not find any substance in the writ petition.

6. Accordingly, the writ petition is dismissed. However, since this Court has passed the interim order, which is operating in favour of the petitioner for last more than 2 years, it will be open for the petitioner to move a representation within a period of 15 days before respondent No.2-Chief Engineer, Minimata (Hasdev) Bango Project, Bilaspur. If such representation is filed, respondent No.2 shall consider and decide the same within a period of 6 weeks from the date of its submission. The interim order passed earlier shall continue only for a period of 8 weeks from today.

Sd/-
JUDGE
(Prashant Kumar Mishra)