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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2164 of 2015**

- Mahavir Singh Rana, S/o. Shri Shyam Singh Rana, aged about 32 years, Constable (MT), MT Pool, Police Headquarter, Civil Lines, Civil & Revenue District Raipur (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh, Through: Secretary, Department of Home Affairs, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur (C.G.)
2. Director General of Police, Police Headquarter, Civil Lines, Civil & Revenue District Raipur (C.G.)
3. Additional Director General of Police (CAF/Naxal Operations/STF), Police Headquarter, Civil & Revenue District Raipur (C.G.)
4. Commandant, 7th Battalion, Chhattisgarh Armed Force(CAF), Bhilai, Civil & Revenue District Durg (C.G.)

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate
For Respondents/State	:	Shri YS Thakur, Dy. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****24/06/2015**

1. Petitioner has called in question the impugned order dated 22-5-2015, whereby his representation preferred against the earlier order dated 30-3-2015, passed by the DGP, sending the petitioner back to his original place of posting, has been rejected.
2. Shri Paranjpe, learned counsel for the petitioner would submit that while

deciding petitioner's earlier writ petition, this Court had directed the authorities to decide the representation considering the personal difficulty of the petitioner, however, in the impugned order none of the grounds raised in the representation has been addressed.

3. In the earlier order passed by this Court, reference has been made to several judgments of the Supreme Court to conclude that transfer/posting of a government servant is in the exclusive domain of the employer and the Court has limited jurisdiction to interfere in such matters. Once the authorities have undertaken the exercise for sending back the petitioner to his original place of posting, which by itself is not a transfer order, but is a order passed due to administrative exercise, this Court would not sit over the same as an appellate Court to substitute the administrative decision of the authorities and pass an order unsettling the same.
4. True it is that the petitioner has raised several personal difficulties in his representation and the same has not been addressed in the impugned order, however, perusal of the representation Annexure P-8 would reveal that the personal difficulties are not of such nature which is causing extreme hardship to the petitioner, because of which his family will be uprooted and the petitioner would be unable to pay attention to his duties. The only ground raised in the representation is that the studies of his children would be adversely affected.
5. By the order dated 30-3-2015, the petitioner has been sent back from Raipur to Bhilai. There is no material to indicate that Bhilai does not have good educational facilities; on the contrary this Court can take judicial notice of the fact that in the State of Chhattisgarh Bhilai has better educational facilities than Raipur.

6. For the foregoing, this Court does not find any ground to interfere with the impugned order. Accordingly, the writ petition is dismissed.

Sd/-

(Prashant Kumar Mishra)

JUDGE

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