

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2687 of 2015**

- Ram Narayan Kurre S/o Shir Jhadua Das Kurre, Aged About 50 years Working As A Peon In The Office Of Collector Bemetara, District Bemetara (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through, The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Raipur (Chhattisgarh)
2. Collector, Bemetara (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri BP Banjare, Advocate
For Respondents/State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/07/2015**

1. By the impugned order, the petitioner has been transferred from district Collectorate, Bemetara to Tehsil Office, Navagarh, in the same district.
2. Although the petitioner has suffered transfer just after one year of his posting at the present place, yet considering the fact that the distance between Bemetara and Navagarh is only 25Km, this Court is not inclined to interfere with the transfer order.
3. It is a trite law that transfer/posting is an incidence of service. The Court should not interfere with the transfer/posting order unless there is malice, infringement of statutory rules and regulations. The employees may be

posted anywhere at the instance of the employer in public interest and administrative exigency. Further, it is for the Government to post another person if any vacancy arises on account of transfer/posting of an employee. (See *E.P. Royappa v. State of Tamil Nadu and another*¹, *Shilpi Bose (Mrs.) and others v. State of Bihar & another*², *State of M.P. and another v. S.S. Kourv and others*³, *Mohd. Masood Ahmad v. State of U.P. & others*⁴, *Chief Commercial Manager, South Central Railway, Secunderabad & others v. G. Ratnam & others*⁵ and *Airports Authority of India v. Rajeev Ratan Pandey & others*⁶).

4. In view of the above, the writ petition is dismissed.

Sd/-

Judge

Prashant Kumar Mishra

ashu

1 1974 (4) SCC 3
 2 (1991) Supp 2 SCC 659
 3 (1995) 3 SCC 270
 4 (2007) 8 SCC 150
 5 (2007) 8 SCC 212
 6 (2009) 8 SCC 337