

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2841 of 2015

- Sarvagyanand Shukla S/o Late Shri Ravinandan Shukla, Aged About 52 Years Draughtsman At Office Of Executive Engineer, Water Management, Division Rudri Code No. 38, P.S.- Rudri, Civil & Revenue Distt. Dhamtari (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. Commissioner, Division Raipur, Distt. Raipur (Chhattisgarh)
3. Collector, Dhamtari Distt. Dhamtari (Chhattisgarh)
4. Engineer-In-Chief Water Resources Department, Chhattisgarh Raipur, Distt. Raipur, (Chhattisgarh)
5. Executive Engineer, Water Management, Division- Rudri, District- Dhamtari (Chhattisgarh)
6. Superintending Engineer, Reserve Wire Project Rudri, Distt. Dhamtari (Chhattisgarh)

---- Respondent

For Petitioner	Shri A.S. Rajput, Advocate
For Respondent/State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

18/08/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.

2. This petition has been preferred challenging the transfer order passed by the Collector, Dhamtari exercising power conferred on him to transfer the employee of the district cadre only in the transfer policy of the year 2015-16.
3. The petitioner has claimed that he is working as Draftsman in the Water Resources Department, which is a State cadre post, therefore, the Collector is not empowered under the transfer policy to transfer an employee like the petitioner.
4. Learned State counsel would submit, on instructions, that draftsman in the Water Resources Department is a State cadre post.
5. In view of the above, the impugned transfer order concerning the petitioner is quashed, however, liberty is reserved in favour of the respondents to pass fresh order, in accordance with law, if any administrative exigency arises.
6. The writ petition is allowed in the manner indicated above.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

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