

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2884 of 2015

- Gangaram Tandiya S/o Shri Sukludas Tandiya Aged About 35 years
Occupation Service, Working As Panchayat Secretary At Aagarpani,
R/o Village Kui, P.S. Kukdur, Tahsil Pandariya, District Kabirdham,
Chhattisgarh 491 559

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat & Rural
Development Department, Mahanadi Bhawan, Mantralaya, Naya
Raipur Chhattisgarh.
2. Deputy Director, Panchayat & Social Welfare, Kabirdham, Tahsil &
District Kabirdham, Chhattisgarh.
3. The Collector, Kabirdham, District Kabirdham, Chhattisgarh.
4. Chief Executive Officer, Jila Panchayat, Kabirdham, District
Kabirdham, Chhattisgarh.

---- Respondents

For Petitioner	Shri Vaibhav P. Shukla, Advocate
For Respondent/State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

10/08/2015

1. With the consent of the learned counsel for the parties, the matter is heard
finally.
2. The petitioner has preferred this writ petition challenging the order passed
by the Chief Executive Officer, Jila Panchayat Kabirdham whereby, he has
been transferred from the post of Panchayat Secretary of Gram Panchayat

Aagarpani, Janpad Panchayat Pandariya, District Kabirdham to Gram Panchayat Mohgaon, Janpad Panchayat Pandariya , in the same district, on administrative grounds.

3. Learned counsel for the petitioner would submit that the subject transfer has been made to a far away place, therefore, the same is arbitrary because, the petitioner is a lowly paid employee.
4. It is settled law that when the transfer has been made on administrative grounds and the concern employee is raising grounds of violation of policy or any personal difficulty, the same should be considered by the authorities and the Court has limited jurisdiction on the issue.
5. In view of the aforesaid, the writ petition is disposed of with a direction that the petitioner prefers a representation before the Chief Executive Officer, Jila Panchayat Kabirdham, within a period of 15 days from today, the said authority shall consider and decide the petitioner's representation, on its own merits, at the earliest, preferably within a period of 6 weeks from the date of submission of representation.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA