

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2911 of 2015

- S. Goodwin S/o Late Shri J. M. Singh Aged About 59 years R/o River View Colony, Plot No. E- 56, Koni, Police Station- Koni, District- Bilaspur (Chhattisgarh)

---- Petitioner

Versus

- State Of Chhattisgarh Through The Secretary, Technical Education, Man Power Employment, Science And Technology Department, Mahanadi Bhawan, Mantralaya, New Raipur (Chhattisgarh)
- The Commissioner/ Director, Directorate Employment and Training, Women Polytechnic Premises, Baron Bazar, Raipur (Chhattisgarh)
- Government Industrial Training Institute, Through The Principal Koni, District - Bilaspur (Chhattisgarh)
- Madhusudan Paraye Posted as Training Superintendent, Industrial Training Institute, Chandra, District- Surajpur (Chhattisgarh)

---- Respondent

For Petitioner

Mr. Prateek Sharma, Advocate

For Respondent/State

Mr. Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/08/2015

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

(2) The petitioner would assail the transfer order dated 10.07.2014 (Annexure P/4), whereby, he is transferred from the post of Training Superintendent, I.T.I., Koni, Bilaspur to I.T.I., Chandra, District Surajpur as reliever of respondent No.4. He is also challenging the order dated

21.07.2015 (Annexure P/1), whereby, his representation against the transfer order has been rejected by the State Government and by subsequent orders dated 31.07.2015 and 04.08.2015, directions have been issued for his relieving and joining at the transferred place.

(3) While deciding the petitioner's earlier writ petition i.e. W.P.(S) No.4638 of 2014, this Court had granted liberty to the petitioner to prefer a representation against the transfer order, after observing that in such matters, the writ Court has limited jurisdiction to interfere.

(4) The petitioner's transfer to Surajpur has been made on administrative exigency. The same has been re-examined by the State Government while considering his representation. Therefore, at this stage, this Court would not proceed to judicially review the exercise undertaken by the State Government, which is purely of administrative nature. In the absence of any pleading or proof alleging malice in fact or violation of any statutory provision or that the impugned order would adversely affect any of the service conditions of the petitioner, this Court does not find any substance in the writ petition.

(5) Accordingly, the writ petition is dismissed.

Sd/-

Judge

(Prashant Kumar Mishra)