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**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 3319 of 2015**

- B. S. Verma S/o Late Shri Devi Singh Verma, Aged About 57 Years Presently Posted And Working As Assistant Labour Officer, Korea, District Korea Chhattisgarh R/o Odgi Naka Baikunthpur Chhattisgarh

---- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Labour, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur Chhattisgarh
2. Additional Chief Secretary, Department Of Labour, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur Chhattisgarh
3. Labour Commissioner, Chhattisgarh Indrawati Bhawan, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur Chhattisgarh
4. Collector, Korea, Baikunthpur Chhattisgarh
5. Tejesh Kumar, Labour Officer, Bijapur Chhattisgarh

---- **Respondent**

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For Petitioner : Shri Rajeev Shrivastava and Shri Malay Shrivastava, Advocates.  
For Respondent/State : Shri Shashank Thakur, Govt. Advocate.

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**Hon'ble Shri Justice Prashant Kumar Mishra**

**Order On Board**

**11/09/2015**

1. The petitioner has called in question the order dated 4.9.2015 whereby he has been transferred from the office of Labour Officer, Koriya to the office of Labour Officer, Bijapur.
2. It has been argued that the petitioner is suffering from Paralysis; there is only one post of Labour Officer at Bijapur where respondent No.5 is working, therefore, transfer of the petitioner to such a far away place is

illegal and arbitrary.

3. Learned State Counsel would submit that the impugned order has been passed in coordination at the level of Hon'ble Chief Minister and it is based on obtaining administrative exigency, therefore, the order does not suffer from any illegality.
4. It would appear that the petitioner is posted at the present place of posting for more than 3 years. The petitioner is a Senior Officer in the department of Labour. The order has been passed on the basis of obtaining administrative exigency. Ordinarily, personal difficulty of an officer in complying with the transfer order is not to be considered by the Court but it should be addressed before the employer.
5. In view of the settled legal position that judicial review of an order of transfer is permissible only when the order is ex-facie malafide or it is in violation of any statutory rule or it otherwise adversely affects the service conditions of the concerned employee, this Court does not find any ground to interfere with the impugned transfer order.
6. If the petitioner has any personal difficulty in complying with the transfer order, he may prefer a representation before the competent authority of the respondents within a period of one month. On such representation being filed, the same shall be considered by the competent authority expeditiously.
7. With the aforesaid observations, the writ petition is disposed of.

Sd/-  
**Judge**  
(Prashant Kumar Mishra)