

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3323 of 2015**

- Ranvir Kapoor, S/o Shri R.S. Kapoor, aged about 61 years, Labor Officer, Posted at Ambikapur, Post & Thana Ambikapur, District Sarguja at Ambikapur (CG)

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Ministry of Labor, Mahanadi Bhawan, New Raipur (CG)
2. The Labor Commissioner, Chhattisgarh, Indrawati Bhawan, New Raipur (CG)
3. Anil Kujur, S/o Late Shri K.L. Kujur, aged about 55 years, Labor Officer, Posted at Balrampur, Post & Thana Balrampur, District Balrampur-Ramanujganj (CG)

---- **Respondent**

For Petitioner : Shri Somkant Verma, Advocate.
 For Respondent/State : Shri Dhiraj Wankhede, Govt. Advocate.

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, Ambikapur to the office of Labour Officer, Sukma.
2. It has been argued that the petitioner has barely completed 9 months' service at the present place of posting and is due for retirement in October, 2016, therefore, the impugned order deserves to be quashed.
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 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)

Barve