

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4019 of 2015

- S. S. Som S/o Late Shri C.S. Som, Aged About 59 Years Presently Working As Chief Municipal Officer, Municipal Council, Kirandul, District Dantewada, (Chhattisgarh)

---- Petitioner

Versus

- State Of Chhattisgarh Through The Principal Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
- The Under Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)

---- Respondent

For Petitioner : Shri Sudeep Agrawal, Advocate.
For Respondent/State : Shri Y.S. Thakur, Dy. A.G.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

02/12/2015

Challenge in this writ petition is to the order dated 15.10.2015 (Annexure P/1) whereby the petitioner has been transferred from the post of Chief Municipal Officer, Kirandul to Chief Municipal Officer, Municipal Council, Bagbahra.

02. Though several grounds have been taken by the petitioner in his petition, however, counsel for the petitioner submits that the petitioner could not be transferred to Bagbahra as earlier Bagbahra was Nagar Panchayat and it has been made Municipal Council recently on 18th August, 2014. He submits that the petitioner is working as Chief Municipal Officer of Grade-A Municipal Council whereas Bagbahra is not Grade-A Municipal Council. He further submits that the purpose of filing this petition would be served if at this stage

the petition is disposed of permitting the petitioner to file a detailed representation before respondent No.1 and in turn, respondent No.1 is directed to decide the same within a particular time frame.

03. State counsel has no objection so far as filing of representation by the petitioner and its decision by respondent No.1 is concerned. He, however, submits that there is no gradation of Municipal Council and the petitioner being Chief Municipal Officer can be transferred to any Municipal Council within the State.

04. Be that as it may, the present petition is disposed of. In the eventuality filing a representation by the petitioner within two weeks from today before respondent No.1, it is expected from respondent No.1 to decide the same as expeditiously as possible, preferably within four weeks from the date of receipt of such representation.

05. It is made clear that this Court has observed nothing on merit aspects of the case and the competent authority to decide the representation strictly in accordance with law.

Sd/

(Pritinker Diwaker)

Judge

khan