

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3565 of 2015

- B. P. Jaiswal S/o Late Shri R. P. Jaiswal, Aged About 60 Years Post Sub Engineer, Department Of Public Health Engineering, Presently Posted At P.H.E. Sub Division Sakti, Head Quarter Jaijaipur, Chhattisgarh, R/o Purani Basti, Ward No.19, Village Sonthi, District Janjgir Champa, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Public Health Engineering, Mahanadi Bhavan, Ministry New Raipur, District Raipur, Chhattisgarh
2. The Engineer In Chief, Department Of Public Health Engineering, Indrawati Bhavan, New Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	Shri A.K. Dewangan, Advocate
For Respondent/State	Shri Dheeraj Wankhede, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

05/10/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. By the impugned order, the petitioner, who is working as Sub Engineer, Akaltara in the Department of Public Health Engineering (for short 'P.H.E.'), is posted in the capacity of In-charge Assistant Engineer, P.H.E., Sub Division Wadrafnagar.

3. Learned counsel for the petitioner would submit that the petitioner was transferred to Sakti in March, 2013, wherein he was directed to officiate as Assistant Engineer, however, as soon as the regular Assistant Engineer was posted, the petitioner was reverted back to the post of Sub Engineer. He would submit that by the impugned order, once again he is sent as officiating Assistant Engineer, therefore, as soon as the regular Assistant Engineer would join at Wadrafnagar, the petitioner may again suffer shifting. He would also submit that the petitioner is suffering from paralysis and has attained the age of 60 years, therefore, it would cause extreme hardships to the petitioner, if he is sent to Wadrafnagar. Learned counsel would next submit that the name of the petitioner is wrongly mentioned in the impugned order.
4. The impugned order clearly stipulates that the posting of 11 officers have been directed for opening of new P.H.E. Sub Division. Thus, the administrative exigency is clearly defined and expressed in material terms, therefore, this Court does not find any substance to interfere with the impugned order.
5. Accordingly, the writ petition is dismissed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA