

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2190 of 2016**

1. Parasram Sengar S/o Lakhpat Singh Sengar Aged About 32 Years
Aarakshak R/o M.D. 241 Veersavarkar Nagar Hirapur Raipur Civil &
Revenue District Raipur (Chhattisgarh)
2. Dinesh Singh Tomar S/o Shri Badrisingh Tomar Aged About 31 Years
Aarakshak Present R/o 12th Vahini Ch.Sa. Bal Ramanujganj, Civil &
Revenue District Sarguja (Chhattisgarh)
3. Hasanulla Khan S/o Shri Baraktulla Khan Aged About 36 Years Aarakshak
Present R/o 12th Vahini Ch.Sa. Bal Ramanujganj, Civil & Revenue District
Sarguja (Chhattisgarh)

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Sachiv Grah/ Police Vibhag, Chhattisgarh
Shashan Mantralay, Naya Raipur, District Raipur Chhattisgarh.
2. Inspector General Of Police, Police Mukhyalay Naya Raipur District Raipur
(Chhattisgarh)
3. Additional Inspector General Of Police, Ch.Sa. Bal Police Mukhyalay, Naya
Raipur District Raipur Chhattisgarh.
4. Superintendent Of Police, Ch.Sa. Bal Police Mukhyalay, Naya Raipur District
Raipur Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Rajendra Kumar Patel, Advocate.
For State	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****17/06/2016**

Heard on admission.

1. Order dated 30.03.2015 by which the petitioners were transferred and subsequent order dated 22.05.2015 by which representation has been rejected, are assailed mainly on the ground that the petitioners having worked at various places,

have acquired right to be absorbed against those posts and therefore they could not be transferred from the existing posting to the posts of their original appointments as Constable (GD). The other ground of challenge in the petition is that the transfer has been made without administrative exigency. Thirdly, it is submitted that the petitioners were duly trained as driver and their services could be better utilized at the present place of posting rather than sending them to their original posts of Constable (GD).

It is also submitted that at this stage when the petitioners are due for promotion, instead of promoting they have been transferred.

2. None of the grounds raised by the petitioners relates to absence of jurisdiction, malafide or violation of any binding transfer policy.

3. On petitioners own showing, they were initially appointed as Constable (GD). The services of the petitioner were utilized as and when occasion arose, at other places. Now the petitioner have been sent back to work as Constable (General Duty).

4. Where an employee should be posted in administrative exigency, is a matter which is within the exclusive domain of employer of the petitioners. Unless the transfer order suffers from any illegality, absence of jurisdiction, malafides or serious violation of transfer policy resulting in grave hardship, no interference is warranted.

5. Earlier, the petitioners had approached this Court and this Court directed consideration of representation, representations have been considered and rejected for reasons, which cannot be said to be extraneous or irrelevant.

6. The petition is without any merit and is therefore dismissed.

Sd/-

(Manindra Mohan Shrivastava)
J U D G E