

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2938 of 2016

Kailash Chandra Nag S/o Late Budhnath Ram, Aged About 55 Years R/o Village Lundra, Post Lundra, Tehsil Lundra, District Surguja, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Agriculture & Biotechnology, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. Director, Department Of Horticulture, Ambikapur, District Surguja (Chhattisgarh)

---- Respondents

For Petitioner	:	Smt. M.Asha, Advocate
For State	:	Shri D.R. Minj, Dy. Govt. Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/07/2016

1. The petitioner has filed this petition challenging order dated 21.6.2016 by which petitioner's representation against transfer has been rejected.
2. Learned counsel for the petitioner submits that the operative reason for rejection of petitioner's representation is that the petitioner has remained posted in Block-Lundara since 8.4.1985, which is factually incorrect. It is submitted that the petitioner came to be posted and working continuously in Block -Lundra since 22.8.2007 and not 8.4.1985, as stated in the order. During the course of argument, learned counsel for the petitioner places before this Court a certificate issued on 7.6.2016 by the Deputy Director, Horticulture, District- Surguja, Ambikapur.
3. Even if what the petitioner says is to be accepted, it is clear that the petitioner has remained posted at the present place of posting ever since 2007. That, by itself, constitutes an administrative exigency to transfer the petitioner- employee.

The personal hardship ventilated as one of the grounds to challenge the transfer order is illness of petitioner's wife and small children.

4. Considering that by impugned order, the petitioner has been transferred from a small place to district Headquarter at Ambikapur, where education and medical facilities, are far better, no ground of interference is made out.
5. The petition is therefore dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen