

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
Writ Appeal No. 346 of 2016

F. Ekka S/o P. Ekka, Aged About 50 Years Working As Vice Principal I.T.I. Ambikapur, District Surguja Chhattisgarh Behind Punjab Garden, P.S. Gandhi Nagar, Ambikapur, District Surguja Chhattisgarh

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Skill Development, Technical Education And Employment Wing, Mantralaya, Mahanadi Bhawan New Raipur, District Raipur Chhattisgarh
2. Deputy Secretary, Skill Development, Technical Education And Employment Wing, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
3. Under Secretary, Skill Development, Technical Education And Employment Wing, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
4. Director, Directorate Of Employment And Training, Indravati Bhawan, New Raipur, District Raipur (Chhattisgarh).
5. Shri P. N. Sinha, Principal Grade II, In Charge Joint Director, I T I, Regional Office, Mayor Colony, Subhash Nagar, Ambikapur, District Surguja (Chhattisgarh).

---- Respondents

For Appellant	: Shri Shravan Agrawal, Advocate.
For Respondents/State	: Shri B. Gopa Kumar, Deputy Advocate General.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri P. Sam Koshy, J

Order on Board

Per Deepak Gupta, Chief Justice

27/07/2016

1. Heard learned counsel for the Appellant.
2. The grievance of the Appellant/Petitioner is that he was wrongly transferred from Ambikapur to Lakhanpur. Earlier, the Petitioner who is working as Vice Principal of the Industrial Training Institute (hereinafter called 'the ITI'), was transferred from Ambikapur to Bagicha. He then filed a writ petition before this Court. In this writ petition, order was passed that he may make a representation to the Respondents who may consider the same. Admittedly, the Petitioner made a

representation and the main ground was that he has been transferred only after stay of 1 ½ years at Ambikapur with a view to accommodate Respondent No. 5. It is not disputed that the Petitioner was not heard. He was heard before passing orders on his representation. In the order which has finally been passed, it has been stated that the Petitioner made a request that he may be accommodated at Lakhanpur.

3. The case of the Petitioner is that he never made such a request. Assuming for the sake of argument that he did not make a request that he may be accommodated at Lakhanpur, the fact remains that Lakhanpur is closest to Ambikapur and in the order, it is recorded it is the closest ITI to Ambikapur. The Petitioner is in the grade of Vice Principal whereas the Respondent No. 5 is Principal, Grade II. This Court can take judicial notice of the fact that Ambikapur is the district headquarter and in all probability, the ITI at Ambikapur would be the biggest ITI. Therefore, posting a senior person at the district headquarter cannot be said to be violative of the rights of the Petitioner.

4. We therefore find no merit in this appeal. It is dismissed.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE