

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3900 of 2016

M. D. Patele, S/o. Late Shri Birju Patele, Aged About 56 Years
Occupation Service, Presently Posted And Working As Assistant
Statistical Officer, Kabeerdham (Chhattisgarh) R/o H- 4, New
Collector Colony, Kawardha, District Kabeerdham, (Chhattisgarh)

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Planning, Finance and Statistic, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
2. Director, Directorate of Economics & Statistics, Block-2, Ground Floor, Indrawati Bhawan, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
3. Commissioner- Cum- Director, Directorate of Economics & Statistics, Block-2, Ground Floor, Indrawati Bhawan, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
4. Collector, Kabeerdham, (Chhattisgarh)
5. District Planning & Statistic Officer, Kabeerdham, (Chhattisgarh)

---- Respondents

For Applicant : Mr. Malay Shrivastava, Advocate.

For Respondents : Mr. Anil S Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/08/2016

Heard

1. By this petition, the petitioner has sought for stay of transfer order which has been affected by order dated 30.07.2016 (Annexure P-1) whereby the petitioner has been transferred from Kabirdham to Gariyabandh.
2. Learned counsel for the petitioner would submit that the wife of the petitioner is suffering from thyroid and heart ailment, therefore, the petitioner is required to get her treated at Nagpur. He further

submits that the petitioner may be transferred at a place where train route is situated and prays that the transfer order may be stayed.

3. Learned State counsel opposes the prayer for grant of stay.
4. Considering the fact that transfer being the incident of service and the ancillary difficulty may arise, therefore, for the reasons which has been projected by the counsel for the petitioner, *prima facie*, I am not inclined to interfere with it. Since, the petitioner has filed a representation before the Transfer Committee, he may pursue his representation which has been made on 03.08.2016 and the Transfer Committee may decide the same according to its own merit after hearing the petitioner within a further period of 4 weeks from today and till then the effect & operation of the transfer order dated 30.7.2016 with respect to the petitioner shall remain stayed.
5. With such observation, the petition finally stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge