

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6985 of 2016

Badri Prasad Verma S/o Shri Liladhar Prasad Verma, Aged About
57 Years R/o Ward No. 4, Pital Karkhana, Shakti Para, Baloda
Bazar, District Baloda Bazar (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of
Urban Administration And Development, Mahanadi Bhavan,
Mantralaya, Naya Raipur, District Raipur, (Chhattisgarh)
2. The Under Secretary, Department Of Urban Administration And
Development, Mahanadi Bhavan, Mantralaya, Naya Raipur, District
Raipur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Sudeep Agrawal, Advocate
For Respondent-State	:	Mr. B. Gop Kumar, Dy. A.G.

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

Order On Board

22/12/2016

Heard on admission.

1. The petitioner has challenged order dated 23.11.2016 on the ground that earlier there was a policy decision taken in the meeting of the Secretary held on 11.10.2013 that except employees of sixth cadre mentioned in clause 14 of the resolution while transferring other employees from local body to other body, their consent would be obtained.
2. That policy remained in force and again recently on 26.11.2016, the same policy decision was reiterated in the meeting of the secretary of the

Department of Urban Administration and Development. Therefore, the impugned order is illegal.

3. It appears that the respondents have been taken various policy decision in the matter of transfer of employees of local body. The resolution which has been passed in the meeting of the Secretary on 26.11.2016 is subsequent to the impugned transfer order. Therefore, it appears that time and again policies of transfer are being framed and changed.

4. Be that as it may, the issue of transfer is only an incident of service and does not affect any terms and conditions of service. Therefore, only on this ground, I am not inclined to interfere with the matter unless there is any other ground of frequent transfer or serious hardship or illegality. Accordingly, I am not inclined to issue notice in the matter. The petition is therefore dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge