

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (S) No.1167 of 2016**

Data Ram son of Heera Sai, aged about 51 years, R/o. Qtr. No.B, 162,
Dhelwadih Colony, P.S. Katghora, District Korba (CG)

---Petitioner

Versus

1. South Eastern Coalfield Limited, Through: the Chairman-cum-Managing Director, SECL, Seepat Road, Bilaspur, District Bilaspur (CG)
2. General Manager (M.P.), South Eastern Coalfield Limited, Seepat Road, Bilaspur, District Bilaspur (CG)
3. General Manager, South Eastern Coalfield Limited, Korba, Korba Area, District Korba (CG)

---Respondents

For Petitioner	:	Mr. Yogesh Chandra, Advocate
For Respondents	:	Mr.H.B.Agrawal, Sr.Advocate with Mr.Pankaj Agrawal, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

21/04/2016

1. Learned counsel for the petitioner would submit that the petitioner is working as SDL Operator in Dhelwadih Underground Mines of SECL and his representation filed for transfer to Gevra Project was directed to be considered by this Court in WP (S) No.100 of 2016 by order dated 18.1.2016.

2. Now the petitioner's representation has been rejected by order dated 12.3.2016 by the SECL holding that Dhelwadih mines is underground Mines, whereas Gevra Project is open cast mines in which post of SDL Operator is not existing and work of SDL Operator is not

available, which is sought to be challenged in this writ petition stating inter-alia that similarly situated persons have been transferred to open cast mines i.e. Govra Project.

3. Reason recorded by the SECL for rejecting the petitioner's representation that there is no work of SDL Operator in open cast mines at Gevra Project appears to be reasonable and proper.

4. Plea that similarly situated persons have been transferred to open cast mines deserves to be noticed for rejection as no negative equality can be claimed and no writ contrary to law can be granted.

5. Consequently, the writ petition being without substance is liable to be and is hereby dismissed. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-