

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 235 of 2016**

Mungeshri Banjare D/o Akbar Das Banjare, Aged About 32 Years Presently Working As Assistant Grade- II, Tahsil Office Jashpur, R/o Vivekanand Colony, Jashpur, District Jashpur (Chhattisgarh)

---- Appellant**Versus**

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mahanadi Bhawan, Mantralaya, New Raipur, Tahsil And District Raipur (Chhattisgarh)
2. The Commissioner, Surguja Division, Ambikapur (Chhattisgarh)
3. Collector, Jashpur, District Jashpur (Chhattisgarh)
4. The Sub Divisional Officer (R), Jashpur, District Jashpur (Chhattisgarh)
5. Vijay Kumar Kujur, Sub Divisional Officer, Jashpur, District Jashpur (Chhattisgarh)
6. Prem Patel, Deputy Collector, Presently Working As Tahsildar, Jashpur, District Jashpur (Chhattisgarh)
7. Ashok Dahire, Posted As Assistant Grade- II, Office Of Sub Divisional Officer (Revenue), Jashpur, District Jashpur (Chhattisgarh)
8. Yashwant Choudhary, Posted As Assistant Grade- II, Office Of Sub Divisional Officer (Revenue), Jashpur, District Jashpur (Chhattisgarh)
9. T.P. Tirki, Posted As Assistant Grade- II, Office Of Sub Divisional Officer (Revenue), Jashpur, District Jashpur (Chhattisgarh)
10. Degree Lal Gupta, Posted As Assistant Grade- II, District Office, Jashpur, District Jashpur (Chhattisgarh)
11. Deepnarayan Pal, Posted As Assistant Grade- II, District Office, Jashpur, District Jashpur (Chhattisgarh)
12. Sanjay Kumar Sinha, Posted As Assistant Grade- II, Office Of Sub Divisional Officer (Revenue), Jashpur, District Jashpur (Chhattisgarh)
13. Mohd. Rafiq Khan, Posted As Assistant Grade- II, District Office, Jashpur, District Jashpur (Chhattisgarh)
14. Smt. Rajni Bek, Posted As Assistant Grade- II, District Office, Jashpur, District Jashpur (Chhattisgarh)

---- Respondents

For Appellant : Shri Devershi Thakur, Advocate.

For Respondent/State : Shri Prafull N Bharat, Additional Advocate General.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Judgment on Board

Per Navin Sinha, Chief Justice

09/05/2016

1. Learned Counsel for the Appellant submits that he has instructions to state that the Appellant shall be joining the transferred place of posting within two weeks. He however submits that the State is required to act reasonably and fairly and not in a discriminatory manner while ordering transfer and posting. The Appellant in her representation had pointed out specific instances of persons who had remained posted at Jashpur without transfer for 17 to 18 years.
2. Learned Additional Advocate General points out from the order of Commissioner, Surguja Division dated 16.2.2016 that at paragraph 19 he has already ordered the Collector to look into that aspect.
3. In view of the undertaking given on behalf of Appellant, the appeal has become infructuous. The Collector shall act in accordance with law insofar as the direction of the Commissioner is concerned forthwith without unnecessary delay so that there is no lurking sense of injustice in a government servant.
4. The appeal is disposed with the aforesaid observations and directions

Sd/-

(Navin Sinha)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE