

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No.405 of 2016**

Rajesh Kumar Adile S/o Shri Basant Kumar Adile aged about 47 years, currently working as Labour Inspector at office of Asstt.Labour Commissioner, Raigarh (CG)

---- Appellant

Versus

1. State of Chhattisgarh, through its Secretary, Department of Labour Welfare, D.K.S. Bhawan, Raipur (CG)
2. Labour Commissioner, Nirmal Chaya Bhawan, Meera Datar Road, Shankar Nagar, Raipur (CG)
3. Asstt.Labour Commissioner, Raigarh, Distt.Raigarh (CG)

---- Respondents

For Appellant	:	Mr. Vaibhav Shukla, Advocate
For Respondents	:	Mr.Vinod Deshmukh, Dy.G.A.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

Per Deepak Gupta, Chief Justice

30/08/2016

1. This writ appeal is directed against the order dated 10.08.2016 passed by a learned Single Judge rejecting the Writ Petition (S) No.3603/2016 filed by the petitioner challenging his transfer from Janjgir-Champa to Kondagaon.
2. The appellant is working as Labour Officer. No doubt, he has been selected against the sports quota, but it does not mean that he has not to function as Labour Officer. Reliance has been placed on circular issued by the State Government on 16.6.2008. This circular has been issued by the Directorate of

Sports and Youth Welfare and not by the State Government. In this circular, guideline has been given that those employees who are members of Chhattisgarh Civil Services Team should be posted at the place where there is facility for playing and practicing the games. There is no guideline that there must be a training center at the place where the petitioner is posted. The petitioner is no longer a member of team. Even otherwise, this guideline has been issued by the Directorate, Sports and Youth Welfare and not by the State Government and the Directorate, Sports and Youth Welfare cannot issue guideline to other Departments. This guideline is not applicable to the appellant. Further more, we are clearly of the view that the appellant is now aged about 47 years and he has remain posted at Janjgir Champa for last many years. He has no vested right to remain posted at Janjgir-Champa indefinitely.

3. Accordingly, the writ appeal fails and is hereby dismissed.

Sd/-

(Deepak Gupta)
Chief Justice

Sd/-

(Sanjay K.Agrawal)
Judge