

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 75 of 2016**

1. Chandrakant Pargir S/o M. L. Pargir, Aged About 45 Years R/o Kalpana Nagar, Baikunthpur, District- Korea Chhattisgarh.
2. Yashwant Rajwade, S/o Ramgopal Rajwade, Aged About 33 Years R/o Adarsh Chowk, Patna, Village And Post Patna, District- Korea Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through- Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur Chhattisgarh.
2. Additional Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur Chhattisgarh.
3. Deputy Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur Chhattisgarh.
4. Joint Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur Chhattisgarh.
5. Commissioner, Land Records, Indravati Bhawan, Naya Raipur, District- Raipur Chhattisgarh.
6. Prem Prakash Pandey, Minister Of The Revenue And Disaster Management Department, Raipur, District- Raipur Chhattisgarh.

---- Respondents

For Petitioner : Ms. Pritha Ghoshal, Advocate.
 For Respondent/State : Shri Vinod Deshmukh, Deputy Government Advocate.

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

Order on Board**Per Deepak Gupta, Chief Justice****06/09/2016**

1. By means of this so-called Public Interest Litigation, the Petitioners have claimed the following amongst other reliefs:-

(i) That, in the public interest this Hon'ble Court may kindly be pleased to issue appropriate writ and directing the respondents to act as per the directions given in the transfer policy dated 11.06.2016 and to maintain parity between all its employees with regard to their transfer.

2. Basically, what the Petitioners want is a direction that the Respondent/State be directed to act as per the transfer policy dated 11.06.2016 and to maintain parity amongst its employees.

3. The Petitioners are journalists. We do not understand how this matter falls within the realm of public interest litigation. Whether a transfer policy is violated or not is not within the scope and ambit of public interest litigation. In case, any employee is aggrieved by any order of transfer or cancellation or modification of transfer order, that employee is free to approach the Court. In service matters, public interest litigation usually cannot be entertained.

4. We have no hesitation in coming to the conclusion that this appears to a proxy litigation filed at the behest of certain employees and not in the public interest because other than saying that the Petitioners are journalist, no other material has been placed on record to show that how violation of transfer policy affects the right of the general public. The public is not concerned whether 'X' employee or 'Y' employee is posted at any particular place. It is only concerned that its works should be done.

5. In view of the above, we dismiss this petition at the threshold.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(Sanjay K. Agrawal)
JUDGE