

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4583 of 2016

Smt. Beena Das W/o Shri K. Advin, Aged About 44 Years Naya Munda Ward
Jagdalpur, Post Thana & District Baster, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Thorough Secretary Woman And Child Development,
Mahanadi Bhawan, New Raipur Chhattisgarh
2. The Collector, Sukma, District Sukma Chhattisgarh

---- Respondents

Shri Somkant Verma, counsel for the petitioner/s.

Shri Dhiraj Wankhede, Govt. Advocate for the State / respondents on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/09/2016

Sole ground of challenge to the transfer order is that as the petitioner was promoted by the order passed by the Commissioner, Woman and Child Development, Raipur, she could not be transferred by the Collector.

2. State counsel opposes and submits that the administrative power of transfer which rests with the State has been delegated to the Collector to be exercised in the manner prescribed under transfer policy dated 11/06/2016.

3. The power of transfer is an administrative power which is available to the appointing authority or to any other authority, on whom, such power is delegated by the State Government, which is the ultimate authority. Transfer policy dated 11/06/2016 delegates power of transfer of Class III and Class IV employees to the Collector within the district with the approval of the In-Charge Minister of the department. The impugned order clearly shows that the transfer has been made with the approval of the In-Charge Minister. Moreover, the transfer is within the district. Therefore, no exception can be taken to exercise of power by the Collector.

4. In view of above, no ground of challenge to the transfer order is made out.
The petition is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Deepti