

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 3774 of 2016**

- Umesh Kushwaha S/o Late Babban Ram Kushwaha, Aged About 42 Years Posted As Nayab Tahsildar, Posted At Pilkha, District Surajpur, (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through: The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
2. Joint Secretary, State Of Chhattisgarh, Revenue Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, (Chhattisgarh)
3. Collector, Surajpur, (Chhattisgarh)

**---- Respondents**

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For Petitioner : Mr. Keshav Prasad Gupta, Advocate  
For State : Mr. D.R. Minj, Dy. Government Advocate  
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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**12/08/2016**

Heard.

1. The transfer order has been challenged on the ground that it being a frequent transfer of the petitioner, who is on probation, appointed on 06.07.2015 and posted at Sub Tahsil Bhatgaon, Tahsil Bhaiyathan, District Surajpur. Thereafter vide order dated 02.02.2016, he was transferred in the same district, but to another Tehsil Pilkha. Now, the State Government has passed an order dated 20.07.2016 transferring the petitioner from one district to other district.
2. The petitioner is holding an executive post. Earlier, he was transferred at different places within same district, but, now he has been transferred from one district to other district.

3. It is found that a recommendation has been made to the State Government for cancellation of the transfer order of the petitioner. Therefore, at this stage, the petition stands disposed off with a direction to consider whether there exists exigency so as to warrant shifting of the petitioner from Surajpur to Jashpur district. It is expected that the decision would be taken within a period of two weeks. For a period of two weeks, coercive steps shall not be taken against the petitioner to compel him to join in the new district. However, if the transfer order is not cancelled, the petitioner would be obliged to comply with the transfer order.

Sd/-  
**(Manindra Mohan Shrivastava)**  
Judge

Chandra