

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2035 of 2016

F. Ekka S/o P. Ekka, Aged About 50 Years Working As Vice Principal, I T I Ambikapur, District Surguja (Chhattisgarh) Behing Punjab Garden, P. S. Gandhi Nagar, Ambikapur, District Surguja (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Skill Development, Technical Education And Employment Wing, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
2. Deputy Secretary, Skill Development, Technical Education And Employment Wing, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
3. Under Secretary, Skill Development, Technical Education And Employment Wing, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh).
4. Director, Directorate Of Employment And Training, Indravati Bhawan, New Raipur, District Raipur (Chhattisgarh).
5. Shri P. N. Sinha, Principal Grade II, In Charge Joint Director, I T I, Regional Office, Mayor Colony, Subhash Nagar, Ambikapur, District Surguja (Chhattisgarh).

---- Respondents

For Petitioner	:	Shri Shrawan Agrawal, Advocate
For Respondent	:	Shri Ajit Singh, Panel Lawyer

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/07/2016

Heard on admission.

1. The petitioner is aggrieved by transfer order dated 24.5.2016 by which, modifying the earlier order of transfer dated 8.2.2016, the petitioner has been

transferred to Lakhanpur ITI.

2. The transfer order has been assailed on the ground that without there being any request made by the petitioner, the petitioner has been shown to have been transferred on his own request. Next submission is that the transfer order is mala fide and it has been passed at the instance of respondent No.5, who is annoyed with the petitioner.
3. In the reply which has been filed by the respondents, note-sheets have been placed on record that the petitioner personally appeared before the competent authority and made his submission which was considered. The note-sheet refers that the petitioner made a request for transfer to a nearby station and an order was passed. It has to be noted that earlier also, when the petitioner was transferred vide order dated 8.2.2016, the petitioner filed petition before this Court which was disposed off vide order dated 18.2.2016 directing consideration of petitioner's representation. His representation was thereafter considered by the authority. The petitioner was afforded personal hearing. The note-sheet contains his signature.

The submission that the note-sheets are incorrect, requires a factual enquiry which could not be gone into a writ petition. A responsible officer has filed affidavit and also note-sheets.

4. The petitioner has now been transferred to a nearby place which is 30 k.m. away from Ambikapur. Therefore, no case for interference is made out.
5. The petition is therefore dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge