

HIGH COURT OF CHHATTISGARH, BILASPUR**WP(S) No.1899 Of 2015**

Ram Chand Tamboli, S/o Late Shri Kaushal Prasad Tamboli, aged about 50 years, Occupation Service, presently working as Patwari and Posted at PH No.20, Tahsil Kota, Dist.Bilaspur (CG)

-----Petitioner**Versus**

1. State of Chhattisgarh, Through the Secretary, Department of Revenue & Disaster Management, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, Dist Raipur (CG)
2. Collector (Land Record), Bilaspur, Dist. Bilaspur (CG)
3. Sub Divisional Officer (Revenue), Pendra Road, Bilaspur (CG)
4. Tahsildar, Kota, Bilaspur (CG)

---- Respondents**And****WP(S) No.1938 Of 2015**

Janardhan Mandal, S/o. Shri S.C.Mandal, aged 39 years, Occupation Service, presently working as Patwari and posted as PH No.10, Tahsil Pendra, Dist.Bilaspur (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh, Through the Secretary, Department of Revenue & Disaster Management, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, Dist Raipur (CG)
2. Collector (Land Record), Bilaspur, Dist. Bilaspur (CG)
3. Sub Divisional Officer (Revenue), Pendra Road, Bilaspur (CG)
4. Tahsildar, Kota, Bilaspur (CG)

---- Respondents

For Petitioners	:	Mr.Gagan Tiwari, Advocate
For Respondents/State	:	Mr.Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**

13/01/2016

1. The petitioners, who are working as Patwari, were transferred by order dated 14th July, 2014. Petitioner-Ram Chandra Tamboli of WP (S) No.1899 of 2015 was transferred from Tahsil Pendra to Tahsil Kota and petitioner-Janardhan Mangal of WP (S) No.1938 of 2015 was transferred from Tahsil Kota to Tahsil Pendra on own expenses, they were relieved by order dated 15.7.2014, but before they could join at the transferred place, by order dated 31st July, 2014, earlier transfer order was amended and petitioner-Ram Chandra Tamboli was transferred from Tahsil Pendra to District Dantewada and petitioner-Janardhan Mandal was transferred from Tahsil Kota to District Bastar, against which, they made representations to the State Government, which have been rejected by impugned order dated 6th April, 2015.
2. After hearing learned counsel appearing for the parties, it appears that they were transferred on the basis of their mutual consent and on their own expenses on 14th July, 2014 and they were relieved on 15.7.2014 by the Collector, Bilaspur, but before they could join at the transferred place, they were again transferred to District Dantewada and District Bastar respectively. The order rejecting their representations discloses no reason, whereas when the petitioners were transferred on their own expenses, they have been relieved. The State Government must have disclosed the reason in the order rejecting representations as to why the petitioners were subject to repeat transfer within 16 days from the date of their first transfer that too when transfer of the petitioners was on their own request and

order was partly executed by them. Even the return filed by the State Government is silent in this regard. Accordingly, order rejecting representations are hereby quashed and in the considered opinion of this Court that ends of justice would be served if the petitioners are permitted to make fresh representations before the State Government.

3. Accordingly, the petitioners are permitted to make fresh representations before the State Government within a period of two weeks from today and in turn, the State Government will consider and decide the matter afresh within a further period of four weeks from the date of receipt of representations of the petitioners and take decisions in this regard considering their all grievances. Since the interim order is operating in favour of the petitioners, same shall remain in operation for further six weeks.
4. With the aforesaid observation, the writ petitions stand finally disposed of. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-