

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4849 of 2016

Ram Krishan Sao S/o Late Shri Kaunta Prasad Aged About 55
Years R/o Government Girls Polytechnic, Jagdalpur, District
Jagdalpur (Chhattisgarh).

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Skill Development, Technical Education, Employment New Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh).
2. Directorate Of Technical Education, Chhattisgarh, H. O. D. Building, Block-3, 3rd & 4th Floor, Indravati Bhawan, Naya Raipur District Raipur (Chhattisgarh).
3. Shri R. R. Dhurve Working As Junior Trainer Presently Posted At Government Polytechnic College, Durg (Chhattisgarh).

---- **Respondents**

For Petitioner	:	Mr. Vikash Dubey, Advocate.
For State	:	Mr. D.R. Minj, Dy. G.A.

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

Order On Board

30/11/2016

Heard on admission.

1. The petitioner has filed this petition seeking a direction that the transfer order of respondent No.3 be quashed and the petitioner be considered for transfer from Jagdalpur to Bilaspur.
2. Learned counsel for the petitioner submits that at the time when the Government had initiated process of transfer during transfer season, the petitioner along with one Shri Mahendra Singh had applied for mutual transfer. However, the State has transferred Shri Mahendra Singh and respondent No.3 was transferred from Jagdalpur to Durg and the post at Bilaspur is still lying vacant.

3. Learned State counsel submits that the transfers have been made on exigency of service. He submits that the petitioner cannot claim as of right, that he should be transferred in the manner requested by him and Shri Mahendra Singh. The transfer of Shri Mahendra Singh was on consideration on his personal difficulties and the transfer of respondent No.3 from Jagdalpur to Durg was also on the ground of his personal difficulties.

4. It appears that the transfer order are outcome of consideration of the State Government on exigency of service and the grievances of the petitioner, respondent No.3 and Shri Mahendra Singh. Who should be transferred to which place is essentially matter for the administrative authority and not for this Court. However, if the post at Bilaspur is still lying vacant, it would be appropriate for the State to decide the petitioner's representation whether the petitioner can be considered for transfer from Jagdalpur to Bilaspur on the vacant post. Let it be decided by the Committee of the State within a period of four weeks from the date of receipt of copy of this order.

5. The petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge