

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6984 of 2017

- Smt. Neema Rai W/o Late Shri Prabhu Rai, Aged About 46 Years, Supervisor, Integrated Women & Child Development Project Barpali, Korba, District Korba, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Women And Child Development Department, Mahanadi Bhawan, Raipur Distt. Raipur Chhattisgarh.
2. Smt. Shailendri Sahu Supervisor, Integrated Women & Child Development Project Lundra District Sarguja Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State

Shri Manoj Chouhan, Advocate
Shri Ashutosh Pandey, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/12/2017

1. Petitioner is working as Supervisor in the Department of Woman and Child Development. She has been transferred from Barpali, District Korba to Arang, District Raipur.
2. In the first writ petition preferred by the petitioner, the following order was passed by this Court:-

“2. Transfer order is under challenge on the ground that the petitioner has met with certain accident, due to which, she has suffered 60% disability and certificate to this effect is also attached. Other ground is that daughter of the petitioner had undergone heart operation in the past and if the

petitioner is transferred from Korba to Raipur, she may suffer hardship, because Korba is her home district.

3. Considering the nature of grounds raised in this petition including disability of the petitioner, particularly taking into consideration that the petitioner is being posted at Raipur where she would get better medical facility, I am not inclined to interfere with the impugned transfer order. Taking into consideration that the petitioner has already preferred representation stating various grievances, it is directed that the respondent authority shall consider and decide the same within a period of four weeks. For a period of four weeks, no coercive steps shall be taken against the petitioner.”
3. Petitioner's representation has now been dismissed by the impugned order, which is under assail on the ground that the Authorities have not properly appreciated the grounds mentioned in the representation.
4. The impugned order rejecting the petitioner's representation is a reasoned order dealing with the substantive ground on which she was seeking revocation of the transfer order. A transfer order is not issued in terms of any statutory provision, therefore, it cannot be interfered as if this Court is sitting in appeal over the said order. Moreover, in view of the previous order, it is not open for this Court to once again scrutinize the transfer order on the grounds raised by the petitioner.
5. No case for entertaining this writ petition is made out. It is accordingly dismissed.

Sd/-
Judge
Prashant Kumar Mishra