

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 6910 of 2016**

Smt. Usha Verma W/o Shri Rajesh Verma, Aged About 40 Years Assistant Grade-III, Municipal Council, Tilda- Newra, District Raipur (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through- The Secretary, Department Of Urban Administration And Development, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)
2. The Under Secretary, Department Of Urban Administration And Development, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)

**---- Respondents**

**And**

**WPS No. 6628 Of 2016**

Braj Mohan Paraste S/o Vasudev Singh Paraste, Aged About 45 Years Presently Working As Revenue Sub Inspector, Municipal Council, Akaltara, District Janjgir Champa (Chhattisgarh)

**---- Petitioner**

**Vs**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)
2. The Under Secretary, Department Of Urban Administration And Development, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)

**---- Respondents**

**And**

**WPS No. 6538 Of 2016**

Ashok Kumar Yadu S/o Late Shri I.P. Yadu, Aged About 50 Years Presently Working As Assistant Revenue Inspector, Nagar, Panchayat, Pallari, District Baloda Bazar Chhattisgarh

**---- Petitioner**

**Vs**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban

Administration And Development, Mahanadi Bhavan, Mantralaya, Naya Raipur,  
District Raipur Chhattisgarh

2. The Under Secretary, Departmet Of Urban Administraiton And Development,  
Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh

**---- Respondents**

**And**

**WPS No. 6686 Of 2016**

Girish Kumar Sarthi S/o Shri Til Sagar Sarthi, Aged About 34 Years Presently  
Working As Assistant Revenue Inspector, Municipal Corporation, Raipur, District  
Raipur (Chhattisgarh)

**---- Petitioner**

**Vs**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban  
Administration And Development, Mahanadi Bhavan, Mantralaya, Naya Raipur,  
District Raipur (Chhattisgarh)
2. The Under Secretary, Department Of Urban Administration And Development,  
Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)

**---- Respondents**

**And**

**WPS No. 6633 Of 2016**

Manoj Kumar Kashyap S/o Shri Pratap Kashyap, Aged About 35 Years Presently  
Working As Sanitary Inspector, Municipal Council, Tifra, District Bilaspur  
(Chhattisgarh)

**---- Petitioner**

**Vs**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban  
Administration And Development, Mahanadi Bhavan, Mantralaya, Naya Raipur,  
District Raipur (Chhattisgarh)
2. The Under Secretary, Department Of Urban Administration And Development,  
Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)

**---- Respondents**

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Shri Sudeep Agrawal, counsel for the petitioner/s.  
Shri B.Gopakumar, Dy.A.G. for the State.

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**16/02/2017**

All the aforesaid writ petitions are being disposed off by this common order as they all involve similar issues.

The transfer orders are under challenge on the ground that the petitioners are being subjected to frequent transfers.

Learned counsel for the petitioners submit that it could not be disputed by the respondents that within a short period of time, the petitioners have been transferred and now, vide impugned order, they have been transferred back to their parent Municipal Council/Municipal Corporation. It is submitted that this has resulted in hardship to the petitioners as the petitioners are low paid employees and they cannot be subjected to frequent transfers in this manner. It is further submitted that if at all the policy decision of the State Government was to post the employees in their parent Municipality, there is no reason why they are being transferred frequently. Therefore, the impugned order is quite arbitrary. It is also stated by learned counsel for the petitioners that the petitioners have received information that in many Municipalities, employees of other Municipality are still being accommodated for various reasons.

Considering the aforesaid submission, it is directed that the impugned orders shall not be given effect to till June, 2017. After June, 2017, the respondents may proceed to implement the orders and require the petitioners to join back to their parent Municipality.

This order shall not come in the way of the petitioners in preferring representation and State considering whether in a given case, they should be allowed to continue.

With the said observations, all the petitions are disposed off.

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