

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6974 of 2016

- Munna Bhagat S/o Shri Hira Lal Bhagat, Aged About 34 Years, Presently Working as Driver, Municipal Corporation, Raigarh, District- Raigarh, 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

For Petitioner	:	Shri Sudeep Agrawal, Advocate
For Respondent/State	:	Shri R.K. Gupta, Dy. Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/02/2017

1. The transfer order is under challenge on the ground that the petitioner is being subjected to frequent transfer.
2. Learned counsel for the petitioner submit that it could not be disputed by the respondents that within a short period of time, the petitioner has been transferred and now, vide impugned order, he has been transferred back to his parent Municipal Council/Municipal Corporation. It is submitted that this has resulted in hardship to the petitioner as the petitioner is low paid employees and he 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 employee in their parent Municipality, there is no reason why they are being transferred frequently. Therefore, the impugned order is quite arbitrary.

3. Considering the aforesaid submission, it is directed that the impugned order shall not be given effect to till June, 2017. After June, 2017, the respondents may proceed to implement the orders and require the petitioner to join back to his parent Municipality.
4. With the said observations, the petition stands disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge