

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4315 of 2017

Jahid Khan S/o Wahid Khan, Aged About 60 Years R/o Purani Basti Bandhawapara, Raipur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Revenue & Disatater Management Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur, Chhattisgarh.
2. Collector, Raipur, District Raipur, Chhattisgarh.
3. Tahsildar, Tilda, District Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Manoj Paranjpe, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

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

Order On Board

11/09/2017

Heard.

1. The transfer order is under challenge on the ground that the order wrongly mentioned the petitioner as Assistant Grade-II whereas the petitioner substantively holds the post of Assistant Grade-III. It is further pointed out that the impugned order shows that the Govt. only decided to transfer Assistant Grade-II category employee and presumably, without there being any proposal, the petitioner's name has been included in the list of transfer.
2. The two discrepancies which have been pointed out by learned counsel for the petitioner must receive due consideration by the respondent authority as to whether transfer order of the petitioner was by any administrative mistake or it was actuated on some administrative exigency and it was a conscious decision to transfer the petitioner though suffering from a typographical mistake of he being shown as Assistant Grade-II. The matter should be

examined by the authority in 4 weeks from the date of receipt of copy of this order.

3. Till appropriate orders are passed in calcification as to whether the petitioner has to proceed or there is any cancellation, coercive steps shall not be taken against the petitioner to compel him to proceed on transfer. The protection under this order shall be available to the petitioner if the petitioner submits a copy of order passed by this Court before the authority within 10 days.
4. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen