

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4906 of 2017**

Dhanraj Markam S/o Shri P.R. Markam, Aged About 49 Years Presently Working As Tahsildar, Dhamdha, District Durg, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. The Collector, Durg, District Durg, Chhattisgarh.
3. Prakash Kumar Tandon, Tahsildar, District Baloda Bazar Bhatapara, Chhattisgarh.

....Respondents

For Petitioner	:	Mr. N. Naha Roy, Advocate
For State	:	Mr. S.P. Kale, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****22/09/2017**

Heard.

1. The transfer order is under challenge on the two grounds. Firstly that within the District-Durg, the petitioner has been transferred from one place to the other place frequently and now by order dated 14.08.2017, the petitioner is being transferred to a far off district Narayanpur. The other ground is that in the past, the petitioner had remained posted in the scheduled area for about 7 years. Therefore, the petitioner could not be again sent to scheduled area for posting.
2. The posting in scheduled area is governed by circular dated 03.06.2015 of the State Government. These are administrative instructions. In these administrative instructions, there is nothing which indicates that an officer, who has remained posted in scheduled area for 7 years,

could not be again posted in scheduled area. It is not a case that presently the petitioner is posted in scheduled area and he is again being sent to scheduled area.

3. The other ground of frequent transfer on a close scrutiny, does not warrant any interference because the petitioner is a Tahsildar and all earlier transfers were within the district in nearby places. Looking to the nature of duties and responsibility of Tahsildar, his shifting within the district in nearby places cannot be said to be a case of frequent transfer warranting interference on the ground of hardship.
4. Therefore, no case is made out for interference by the writ Court. However, it will be open for the petitioner to prefer representation on any other ground available to him under the law and it shall be considered and decided within 4 weeks from the date of receipt of copy of this order.
5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)

J U D G E