

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 2797 of 2017**

Sushil Kumar Dewangan S/o Paduman Lal Dewangan, aged about 36 years, working as Assistant Teacher Panchayat, Govt. Higher Secondary School Siladehi, Janpad Panchayat Bamhnidih, District Janjgir-Champa, Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh through- the Secretary, Panchayat and Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Chief Executive Officer, Zila Panchayat, Janjgir-Champa, District Janjgir-Champa, Chhattisgarh.
3. Chief Executive Officer, Janpad Panchayat, Bamhnidih, District Janjgir-Champa, Chhattisgarh.
4. M. R. Kashyap, Assistant Teacher (Science), Government D. D. S. Birra, Block Bamhnidih, District Janjgir-Champa, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri C. J. K. Rao, Advocate
For Respondent/State	:	Shri A. S. Kachhwaha, Additional Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****05/07/2017**

The challenge in the present writ petition is the order dated 22.04.2017 whereby the petitioner has been transferred from Govt. Higher Secondary School, Siladehi to Govt. Higher Secondary School, Choriya.

2. A bare perusal of the impugned order itself reflects that the transfer of the petitioner has been made within the same Block.

3. At this juncture, counsel for the petitioner submits that the distance between the two places is about 40 Km. which would cause a great inconvenience to the petitioner in discharging his duty as well as in taking care of his family for the reason that his wife is also employed and posed at Govt. Middle School, Birra.

4. It is settled position of law so far as transfer and posting are concerned. It is exclusively prerogative of the employer who has the right to decide the place of posting of an employee. True it is that the State Govt. has a policy for accommodating the spouses as far as possible at the nearby place. The scope of judicial review by the High Court in exercise of its writ jurisdiction in such circumstances is very minimal. Accordingly, this Court does not find any strong case for interfering with the impugned order. The petition thus fails. As a consequence it stands rejected.

5. However, it would be left open for the petitioner to approach the concerned respondent by moving an appropriate representation for redressal of his grievances in accordance with the policy of the State Govt.

6. With the aforesaid observation, the present writ petition stands dismissed.

**Sd/-
(P. Sam Koshy)
JUDGE**