

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 131 of 2017**

A.K.Thawait S/o Firtu Ram Thawait Aged About 51 Years Occupation- Service, Presently Working As Hand-Pump Technician, Posted At Public Health Engineering, Champa, District- Janjgir-Champa, (C.G.), R/o Thawait Bhawan, Near Shiv Mandir, Canal Raod, Janjgir, District- Janjgir-Champa, Chhattisgarh

---- Appellant**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Public Health Engineering, Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
2. Engineer-In-Chief, Public Health Engineering, Indrawati Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
3. Chief Engineer, Public Health Engineering Bilaspur, Chhattisgarh
4. Superintendent Engineer (Civil), Public Health Engineering, Bilaspur, Chhattisgarh
5. Executive Engineer, Public Health Engineering, Janjgir Division, District- Janjgir-Champa, Chhattisgarh

---- Respondents

For Appellant	: Shri Malay Shrivastava, Advocate.
For Respondent/State	: Shri Ashish Surana, Panel Lawyer.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri P. Sam Koshy, Judge.

Order on Board**Per Thottathil B. Radhakrishnan, Chief Justice****07/04/2017**

1. We have heard Learned Counsel for the Appellant.
2. Under challenge before the Learned Single Judge is an order of transfer. The Learned Single Judge found that there is no ground to hold that the Appellant is entitled to cling on to the present station of posting where he has been working since 1982.

3. Under challenge is only an interlocutory order and it will be open to the Appellant to seek such reliefs as could be worked out through the writ petition at its final stage. We say this particularly because though in the writ appeal, the Appellant attempts to show that his seniority will be affected by the impugned order of transfer, the Learned Single Judge has rightly noted in the impugned interlocutory order that there is no averment made in the petition that the Appellant's seniority would be affected. Not only that, the Learned Single Judge has also noted that if the seniority is affected, the Appellant will be at liberty to challenge the same as and when occasion would arise. All this apart, the fact of the matter remains that under challenge is only an interlocutory order and it will be open to the Learned Single Judge to mould reliefs at final hearing as may be found necessary on the facts and in the circumstances of the case.

4. In the result, we see no ground to interfere with the impugned order of Learned Single Judge through this intra Court appeal. The appeal fails and is dismissed in limine.

Sd/-
(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE