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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 508 of 2017***{Arising out of Order dated 13.11.2017 passed in Writ Petition (S) No. 5997 of 2017 by the learned Single Judge}*

Smt. Pramila Barman W/o Ram Khilawan Barman, Aged About 47 Years Presently Posted And Working As Supervisor, Integrated Child Development Project, Barpali, District Korba, Chhattisgarh. R/o Village Kanki, Police Station Unga, District Korba, Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh Through The Secretary, Women And Child Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Post Office and Police Station Naya Raipur, District Raipur, Chhattisgarh.
2. Under Secretary, Women And Child Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Post Office and Police Station Naya Raipur, District Raipur, Chhattisgarh
3. Commissioner, Women And Child Development Department, Indrawati Bhawan, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur, Chhattisgarh.
4. Collector, Korba, District Korba, Chhattisgarh.
5. District Programme Officer, Women And Child Development Department, Korba, District Korba, Chhattisgarh.
6. Smt. Chandrabha Sharma, Supervisor, Integrated Child Development Project, Manendragarh, District Korea, Chhattisgarh.

---- Respondents

For Appellant	:	Shri Vivek Kumar Shrivastava, Advocate.
For Respondent/State	:	Shri R.K.Gupta, Deputy Advocate General

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Sanjay Agrawal, Judge

Judgment on Board**Per Thottathil B. Radhakrishnan, Chief Justice****24/11/2017**

1. We have heard the learned counsel for the Appellant.
2. The writ petitioner is the Appellant. While working in the Integrated Child Development Project, Barpali, District Korba, she was transferred to Bhaiyathan,

District Surajpur. She moved this Court by filing an earlier writ petition. She was relegated to make a representation which the competent authority was to consider. In the present round, the learned Single Judge took the view that the competent authority has now given cogent reasons to the effect that the transfer is an administrative arrangement for proper execution of the departmental schemes/projects and therefore, the transfer cannot be recalled.

3. The learned counsel for the Petitioner argued that the transfer is contrary to the instructions of the Government. We see that the learned Single Judge has rightly opined in paragraph 6 of the impugned judgment that the circular and transfer policy are executive instructions and are not to be enforced through Courts and such policy guidelines for transfer and posting are not statutory provisions. With this, the learned counsel for the Appellant argued that the very same learned Single Judge has issued two contradicting orders through the impugned order (Annexure A/1) order and the prior order (Annexure A/2). In fact, the issuance of those two orders by the same Judge adds credence to the present order inasmuch as the learned Judge was quite aware of the possible views and has chosen to go by what is stated in Annexure A/1 notwithstanding the contents of Annexure A/2. We do not find that the learned Judge has acted illegally or erroneously in contradiction to the parameters for exercise of powers under Article 226 of the Constitution. We do not find any ground to interfere with the impugned order through this intra-court appeal.

4. In the result, this writ appeal is dismissed.

Sd/-
(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-
(Sanjay Agrawal)
JUDGE