

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.286 of 2017

- Surendra Kumar Chandra S/o Shri Radheshyam Chandra, Aged About 50 Years Executive Engineer, Public Health Engineering Department, Presently Posted At Korba Division, R/o Village Katari, Post Sonadula, Tehsil Malkharaouda, District Janjgir Champa, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Public Health Engineering Department, Mantralaya Mahanadi Bhawan, New Raipur, Distt. Raipur (Chhattisgarh)
2. Engineer In Chief Public Health Engineering Department, Indrawati Bhawan, New Raipur, Distt. Raipur, (Chhattisgarh)
3. Chief Engineer, Public Health Engineering Department, Bilaspur Zone, Bilaspur, Distt. Bilaspur, (Chhattisgarh)
4. Superintending Engineer, Public Health Engineering Department, Bilaspur Circle, Bilaspur, Distt Bilaspur, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Pawan Kesharwani, Advocate
For Respondent/State	:	Shri S. P. Kale, Dy.AG

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/09/2017

Heard.

2. Transfer order is under challenge on the ground of frequent transfer over last few years. Impugned transfer order was passed on 22-12-2016 transferring the petitioner from Korba to Mahasamund, prior to that, the petitioner was posted at Korba on 15-09-2015.

3. After going through the documents placed on record and the reply of the respondents, It is clear that during the posting of the petitioner at Korba, there were allegations of amassing wealth by corrupt means and finally Crime No.05/2017 was

registered against the petitioner.

4. True it is that the petitioner has been subjected to frequent transfer. However, when there is administrative exigency, there is no bar that the person could not be subjected to frequent transfer. The reason, which have been assigned by the respondents in their return along with documents, speaks volume of administrative exigency and there is a policy of the government, where allegations of corruption was leveled against an officer, his transfer becomes necessary.

5. I am fully satisfied that there existed administrative exigency requiring petitioner's transfer.

6. In the result, the petition is dismissed. Stay order granted earlier stands vacated.

SD/-
(**Manindra Mohan Shrivastava**)
Judge