

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1206 of 2017

Dr. B. P. Soni S/o Late Shri Budhsen Soni, Aged About 54 Years By
Occupation Veterinary Assistant Surgeon At Joint Director
Veterinary Services, Bilaspur, District Bilaspur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Animal Husbandary & Veterinary Services, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
2. The Under Secretary, Department Of Animal Husbandary & Veterinary Services, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
3. The Director, Directorate Of Veterinary Services Indrawati Bhawan, Block III, Ground Floor, Naya Raipur, Tahsil & District Raipur (Chhattisgarh)
4. Dr. P. N. Gupta, Veterinary Assistant Surgeon, Veterinary Hospital, Somni, District Rajnandgaon, (Chhattisgarh) **---- Respondents**

For Petitioner	: Mr. Anand Shukla, Advocate
For State	: Mr. Satish Gupta, Government Advocate, on advance copy

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10/03/2017

Heard.

1. The transfer order dated 20.02.2017 is under challenge by the petitioner on the ground that this has been done only to accommodate respondent No.4. He submits that the petitioner has suffered frequent transfers in last 7 to 8 years. He submits that at the present place, the petitioner was posted since July, 2014 and now again to adjust respondent No.4, he is being transferred. He submits that large number of employees who have not been transferred to scheduled area and he alone has been

picked up for transfer. The last contention is that the petitioner would soon be attaining the age of 55 years and therefore, there will be no useful purpose in posting of the petitioner in core scheduled area because according to policy dated 03.06.2015, all attempts have to be made to ensure that those employees who have attained more than 55 years of service, should not be posted in core scheduled area, as far as possible.

2. Respondent No.4 had earlier filed petition before this Court and direction was issued by this Court for consideration of his case. In compliance of the order, the respondent has now modified the transfer order of respondent No.4. This gave an occasion to transfer the petitioner at this stage. The petitioner, on his own showing, has remained posted at the present place of posting since July, 2014 and it is not a case that within a period of less than one year, he is being transferred. This Court would not draw a mathematical comparison of the period of posting of various officers to decide who should be posted where. It is not a case that the petitioner has continuously remained posted in the scheduled/core scheduled area for many years and again, he is being posted in the same area.

3. In view of the above, no ground is made out for interference with the impugned transfer order. The petition is, therefore, dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge