

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.6813 of 2016

- Arvind Kumar Mishra S/o Mordhawj Mishra, Aged About 33 Years Working As Cashier At Nagar Panchayat Pathariya, R/o Village & Post Karhi, District Mungeli Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhavan, Mantralaya, Naya Raipur District Raipur Chhattisgarh
2. Director, Urban Administration And Development Department, Directorate Raipur District Raipur Chhattisgarh
3. Chief Municipal Officer, Nagar Panchayat Pathariya, District Mungeli Chhattisgarh
4. Chief Municipal Officer, Nagar Panchayat Sariya, District Raigarh Chhattisgarh

---- Respondents

For Petitioner	:	Shri Manish Upadhyay, Advocate
For Respondent/State	:	Shri R. K. Gupta, Dy.AG

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/02/2017

The transfer order is under challenge on the ground that the petitioner is being subjected to frequent transfer.

2. Learned counsel for the petitioner submit that it could not be disputed by the respondents that within a short period of time, the petitioner has been transferred and now, vide impugned order dated 23-11-2016, he has been transferred back to his parent Municipal Council/Municipal Corporation. It is submitted that this has resulted in hardship to the petitioner as the petitioner is a low paid employee and he cannot be subjected to frequent transfer in this manner. It is further submitted that if at all, the policy decision of the State Government was to post the employees in their parent Municipality, there is no reason why they are being transferred frequently. Therefore,

the impugned order is quite arbitrary.

3. Considering the aforesaid submission, it is directed that the impugned order shall not be given effect to till June, 2017. After June, 2017, the respondents may proceed to implement the orders and require the petitioner to join back to his parent Municipality.

4. With the said observations, the petition stands disposed off.

SD/-
(Manindra Mohan Shrivastava)
Judge