

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4497 of 2017**

Gopal Sharma S/o Late Shri R.K.Sharma, Aged About 41 Years R/o Qtr. No. H/77, N B R Colony, P.S. Civil Lines, Rudri, Dhamtari, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh The Secretary, Department Of Water Resources, Mantralaya, Mahanadi Bhawan, New Raipur, Raipur, Chhattisgarh
2. Chief Engineer, Department Of Water Resources, M R P Basin, Shankar Nagar Chowk, Raipur, Chhattisgarh
3. Executive Engineer, Water Management Division, Code No.38, Rudri, District Dhamtari, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. N. Naha Roy, Advocate
For Respondent/State	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****05/09/2017**

Heard.

1. The transfer order is under challenge on the ground of local adjustment that in the office where the petitioner is posted, there are 13 posts of Assistant Grade-III against which 8 Assistant Grade-III are posted and in the office, where the petitioner is being transferred, there are 11 posts of Assistant Grade-III and already 14 Assistant Grade-III have remained posted.
2. Though, it is a matter of local adjustment, an employee, who substantively holds a post is entitled to be posted against a vacant post either of his own post or against equivalent and higher post. It being only a local adjustment, the only

relief, this Court intends to grant to the petitioner is that the petitioner shall not be relieved from his present posting unless in the office where he is being posted, there is a vacant post of Assistant Grade-III or on equivalent or higher post against which he could be allowed to join and salary could be paid. It is also clarified that if there is administrative exigency, the petitioner could be shifted to the other office along with the post of Assistant Grade-III.

3. The petition is accordingly disposed off.

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