

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4774 of 2018**

Rupesh Rathiya S/o Dilip Kumar Rathiya Aged About 26 Years
Posted At Nagar Panchayat Bodla As A Sub Engineer, R/o Village -
Banhar, Post Banhar, Tahsil Dharamjaygarh District Raigarh
Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Nagriy Prashasan And Development Department Mantralaya, Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh.
2. Director Nagriya Prashashan And Development Directorate Naya, Raipur District Raipur Chhattisgarh.
3. Additional Secretary State Of Chhattisgarh, Nagariy Prashasan And Development Department Mantralaya Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh.
4. Abhishek Shrivastava Sub Engineer Posted At Nagar Panchayat Pandariya, District Kawardha Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Awadh Tripathi, Advocate
For State	:	Mr. R.N. Pusty, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/09/2018**

1. The present writ petition has been filed challenging the order dated 03.07.2018, whereby the petitioner has been posted from Nagar Panchayat, Gandai to Nagar Panchayat, Pandariya.
2. The grievance of the petitioner is that the petitioner has been posted at Gandai just about less than 4 months time i.e. vide order Annexure P/3 dated 12.03.2018.
3. The contention of the petitioner is that there is no administrative exigency whatsoever for transferring the petitioner from Gandai to Pandariya at this juncture. According to the petitioner the order of transfer has been made only with an intention of accommodating

the respondent No.4, who has been posted from Pandariya to Gandai. According to the petitioner, it is a clear case of frequent transfers without any administrative exigency and thus prayed for interference with the same by this Court.

4. The State counsel however tried to justify the same by saying that the order of transfer has been issued on administrative exigency and therefore it does not call for any interference by this Court.
5. Having heard the contentions put forth on either side and on perusal of the record, let the petitioner make a detailed representation, in addition to what has already been made by the petitioner within a period of 10 days from the date of receipt of certified copy of this order and on the representation so being made, the respondent No.1 shall consider and decide the same objectively considering the contentions raised in the representation.
6. Let this representation be decided within a period of 6 weeks from the date of receipt of the representation. Meanwhile the respondents shall be restrained from giving effect to the impugned order Annexure P/1, so far as the petitioner is concerned, if the petitioner has till date not been relieved.
7. The writ petition accordingly stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge