

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5023 of 2018**

Keshav Ram Wasnik S/o Shri R. Wasnik, Aged About 50 Years, Posted Naib Tahsildar, Thankhamariya, District Bemetara Chhattisgarh.

---- Petitioner**Versus**

The State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhavan, New Raipur Chhattisgarh.

----Respondent

For Petitioner	:	Mr. Devershi Thakur, Advocate
For State	:	Mr. R.K. Gupta, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

06/08/2018

1. The challenge in the present writ petition is to the order (Annexure P/1) whereby the services of the petitioner has been transferred from Bemetara to Balrampur vide order dated 31.07.2018.
2. The counsel for the petitioner submits that the petitioner had been recently transferred on 14.08.2017 from Gariyaband to Bemetara and the present impugned order is within a year's time. He further submits that in between this one year's time also the place of posting of the petitioner has been shifted for more than three occasions; first on 09.11.2017, when he was transferred from Bemetara to Nanghat, then the petitioner was again shifted on 06.01.2018 from Nanghat to Nawagarh and lastly he was shifted on 06.06.2018 from Nawagarh to Thankhamariya. Thus the present impugned order would amount to be the 5th change of posting of the petitioner within a span of one year. He submits that the petitioner thus has been subjected to frequent transfers

and prays that the petitioner may be protected by way of a suitable order given by this Court.

3. The State counsel submits that from the aforesaid facts itself it appears that it is only the order dated 14.08.2017, which was in fact an inter-district transfer. All other orders are not in fact transfer orders, but are only posting orders issued by the Collector, Bemetara from time to time and therefore it cannot be said to be a frequent transfer.
4. Be that as it may considering the fact that the impugned order would be the 5th change of posting of the petitioner within a span of 11 months, it would be in the interest of justice, if the petitioner is permitted to make a representation to the respondent No.1, so far as his grievances are concerned and the representation should be made by the petitioner within a period of 15 days from today and on receipt of the said representation, the authorities shall take an expeditious decision within a further period of 45 days and till the representation is decided, the impugned order (Annexure P/1) shall not be given effect to so far as the petitioner is concerned.
5. The writ petition accordingly stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge