

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5082 of 2018**

Smt. Karuna Aher W/o Shri B. R. Aher Aged About 49 Years
Presently Working As Naib Tahsildar At Korba, District Korba,
Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Deputy Secretary, Revenue And Disaster Management Department, Indrawati Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
3. Principal Secretary Election Commission Of India, Nirvachan Sadan, Ashoka Road, New Delhi- 110001.
4. Collector, Korba, District Korba, Chhattisgarh.
5. Ku. Tara Kumari Sidar, Presently Posted As Naib Tahsildar At Raigarh, District Raigarh, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Mr. Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/08/2018**

1. Challenge in the present writ petition is to the impugned order (Annexure P/1), whereby the service of the petitioner has been transferred from Korba to Janjgir-Champa.
2. The grounds which the petitioner has raised is that in the garb of instructions received from Election Commission, the respondents have been issuing the order of transfer, whereas there was no such directions for transferring the petitioner from the present place of posting, nor is there any administrative exigency in this regard and he has also not completed the normal tenure of three years at the present place of posting. It was also contended that the present

petitioner has been posted at Korba taking into consideration the fact that the spouse of the petitioner is also working at Korba.

3. The counsel for the petitioner submits that he has already made a detailed representation in this regard to the respondent No.1. The authorities concerned may take a suitable decision on the said representation. He further submits that the petitioner till now has not been relieved from the present place of posting.
4. Considering the facts and circumstances of the case which have been brought out by the petitioner in the forgoing paragraphs, this Court is of the opinion that ends of justice would meet if the respondent No.1 is directed to consider and decide the representation of the petitioner within a period of 8 weeks from today. Meanwhile till the representation is decided, the respondents shall not act upon the impugned order so far as the petitioner is concerned.
5. The writ petition thus stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge