

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.5171 OF 2018**

1. Sant Ram Barmate Phagwa Ram Barmate, Aged About 59 Years Presently Working As Gram Panchayat Secretary, Kumhi Janpad Panchayat Kabirdham, Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through- The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Chief Executive Officer, Jila Panchayat District Kabirdham, Chhattisgarh.
3. Chief Executive Officer, Janpad Panchayat Pandariya, District Kabirdham, Chhattisgarh.
4. Sukhdev Chandravansi, R/o Gram Panchayat Bitkuli Kala, Janpad Panchayat, District Kawardha, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Sushil Dubey, Advocate.
For Respondent-State	:	Shri Mazid Ali, Dy.Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10.08.2018**

1. The challenge in the present writ petition is to the order dated 20.06.2018 whereby he has been transferred from Gram Panachayat Kumhi to Gram Panchayat Kandawani, both Gram Panchayat under the same Janpad Panchayat.
2. This court is not inclined to entertain this petition as the distance between the two Gram Panchayats itself is too less and that no specific inconvenience or prejudice would be caused if the order of transfer is acted upon. The grounds which the petitioner has raised are not the grounds which can be looked into by this court in judicial review under Article 226 of the Constitution of India. It is settled position of law that in the event if the petitioner or any employee is not happy with the order of transfer issued by the employer, the only recourse left for the petitioner or an employee is to make a suitable representation to the employer who in turn shall consider the same.

3. The petitioner has already made a representation dated 31.07.2018 (Annexure P/6) which according to the petitioner has not been decided till date.
4. Given the aforesaid factual matrix of the case and the legal position as it stands, the present petition stands disposed of with a direction to the respondents to consider and decide the representation of the petitioner dated 31.07.2018 as expeditiously as possible in accordance with rules and guidelines framed by the State Govt. in this regard from time to time.

Sd/-
(P. Sam Koshy
Judge