

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 5919 of 2018

Khushboo Tiwari W/o Shri Ashok Kumar Mishra, Aged About 30 Years,
R/o Adarsh Colony, Pendra Road, Tahsil And Police Station- Pendra
Road, Distict- Bilaspur, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Police Station And Post Rakhi, New Raipur, District- Raipur, Chhattisgarh.
2. The Collector, Office Of Collectorate, Bilapsur, Distict- Bilaspur, Chhattisgarh.
3. The Sub Divisional Officer (S.D.O.), Office Of S.D.O., Department Of Revenue, Pendra Road, District- Bilaspur, Chhattisgarh.
4. Tahsildar, Tahsil Office- Pendra Road, District- Bilaspur, Chhattisgarh.

---Respondents

For petitioner	:	Shri Abhishek Pandey, Advocate.
For State	:	Shri Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/09/2018

1. The present Writ Petition has been filed assailing the order dated 19/07/2018 whereby the services of the petitioner has been shifted from Patwari Halka No. 4 to Patwari Halka No. 2. The petitioner was posted at Pendra and by the impugned order, she was ordered to be posted at Marwahi.
2. This order is been projected as an order of transfer and is been assailed on substantially two grounds.

3. Firstly, the order has been passed by an officer who is not competent to pass the same and secondly, the order is in violation of the transfer policy of the State Government in as much as it has not been routed through the co-ordination Committee, nor has it prevailed of the concerned minister, etc.
4. At the outset, this Court is of the opinion that both these grounds are not sustainable for the reason that, the impugned order is infact not an order of transfer. It is only a distribution work given by the Sub Divisional Officer (Revenue), Pendra Road deciding place of posting of the Patwaris under him. It is the two place of posting which are under his jurisdiction.
5. Moreover, the distance between the two is also not much which could cause inconvenience, particularly, looking to the age of the petitioner who himself is just about 30 years of age.
6. Under the given circumstances, the petitioner should not feel aggrieved by the impugned order of change of posting.
7. In the given facts, this Court does not inclined to entertain the instant Writ Petition and is accordingly stands dismissed.
8. However, the reluctance of this Court in entertaining the Writ Petition would not preclude the petitioner from approaching the authorities in the department for redressal of his grievance or for a suitable place of posting.
9. With the aforesaid observation, the instant Writ Petition stands dismissed.

Sd/-

(P. Sam Koshy)
JUDGE