

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6510 OF 2018**

Ajay Madhavan S/o Late Haridas Madhavan Aged About 40 Years Working As Hostel Superintendent At Premetric Scheduled Tribe Boys Hostel, Saraipali, District Mahasamund, R/o Laxmi Bhawan, Main Road, Saraipali District Mahasamund, Chhattisgarh.

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

1. State Of Chhattisgarh Through The Secretary, Scheduled Tribe And Scheduled Caste Development Department , Mahanadi Bhawan, Mantralaya, Atal Nagar, District Raipur, Chhattisgarh.
2. State Of Chhattisgarh Through The Under Secretary, Scheduled Tribe And Scheduled Caste Development Department , Government Of Chhattisgarh, Mahanadi Bhawan, Mantralaya, Atal Nagar, District Raipur, Chhattisgarh.
3. The Collector Mahasamund District Mahasamund, Chhattisgarh.
4. Assistant Commissioner Tribal Development, District Mahasamund, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Sameer Behar, Advocate.
For Respondent-State	:	Shri RN Pusty, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10.10.2018**

1. Challenge in this petition is to the order dated 18.09.2018 whereby the petitioner has been transferred from Pre Metric Tribal Boys Hostel, Patsendri, Block Saraipali, Distt. Mahasamund to Pre Metric Tribal Boys Hostel, Binta, Block Lohandiguda, Distt. Bastar.
2. The claim of the petitioner is that the petitioner is not an employee who is working at Pre Metric Tribal Boys Hostel, Patsendri, therefore the order impugned is per se illegal and bad in law. The petitioner submits that vide order dated 14.08.2017 (Annexure P/4) the petitioner had already been transferred from Patsendri to Pre Metric Tribal Boys Hostel, Saraipali and the petitioner has already assumed his duties at Saraipali and therefore the impugned order to that extent may not be sustainable.

3. Given the said facts, let the petitioner make a detailed representation in this regard to the respondent No.2 within a period of 10 days from today who in turn shall consider the contentions which the petitioner would raise in his representation and thereafter shall decide the same objectively.
4. Till the representation of the petitioner is decided by the respondents, there shall be stay of the effect and operation of the impugned order dated 18.09.2018.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy
Judge