

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6951 of 2018**

Narayan Singh Rathia S/o Shri Ghasiya Ram Rathia Aged About 50 Years
Occupation Service, Presently Working As Patwari, Patwari Halka No. 49,
Tahsil Dharamjaigarh, District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through The Secretary, Department Of Revenue New Mantralaya, Mahanadi Bhawan, Police Station Rakhi, New Raipur, District Raipur Chhattisgarh.
2. The Collector, District Raigarh Chhattisgarh.
3. The Sub Divisional Officer (Rev.) Sub Division Dharamjaigarh District Raigarh Chhattisgarh.
4. Tahsildar Tahsil Dharamjaigarh District Raigarh Chhattisgarh.
5. Parmanand Kanwar Patwari, Patwari Halka No. 52 (Katayeepali), Tahsil Dharamjaigarh, District Raigarh Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Rahul Tamaskar, Advocate
For State	:	Mr. Dheeraj Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12/10/2018**

1. The challenge in the present writ petition is to the order Annexure P/1 dated 04.09.2018, whereby the petitioner who is presently working as a Patwari at Halka No.49 under Tahsil Dharamjaigarh has been posted at the tahsil office Dharamjaigarh, which is around more than 50 Kms from the present place of posting of the petitioner.
2. The primary contention of the petitioner seeking interference with the order is on the ground that the right leg of the petitioner below the knee has been amputated and as such there is a severe mobility problem so far as the petitioner is concerned.

3. The petitioner on an earlier instance was replaced by the respondent no.5 without there being any formal order of transfer or posting so far as the petitioner is concerned.
4. The said action was subjected to challenge before this Court vide WPS No. 4999/2018, which stood disposed off on 06.08.2018 granting interim protection to the petitioner and the respondents were directed to consider the representation of the petitioner sympathetically.
5. The impugned order now has been passed pursuant to that order. It appears that though the respondent no.3 while deciding the representation has used the terms of having considered the case of the petitioner sympathetically, but no specific reason has been assigned neither does it reflect of having shown any sympathy as the petitioner has been transferred for further distance of more than 50 Kms from the present place of posting.
6. Given the said facts, particularly taking into consideration the physical condition of the petitioner, let the petitioner make a detailed representation to the respondent no.2 in this regard and the respondent no.2 in turn is directed to consider the claim of the petitioner sympathetically at the earliest and try to accommodate him at the present place of posting for the reason that he has recently undergone his amputation atleast for some more times.
7. Reserving the right of the authorities to transfer him at a later stage at a suitable place. The impugned order Annexure P/1 of as now shall not be acted upon.
8. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge