

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7006 OF 2018**

1. Vivek Hardev S/o Sohan Lal Aged About 55 Years Lodhi Fisheries Inspector , O/o Assistant Director, Fisheries, Mahasamund Chhattisgarh.

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

1. State Of Chhattisgarh Through Secretary, Fisheries Department Mantralaya, Mahanadi Bhavan, Atal Nagar, Raipur Chhattisgarh.
2. Director Directorate Of Fisheries, Indravati Bhavan, Atal Nagar, Raipur Chhattisgarh.
3. Assistant Director Fisheries , District Mahasamund Chhattisgarh.
4. Laluram Sahu Fisheries Inspector , O/o Deputy Director , Fisheries, District Ambikapur Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

... Respondent(s)

For Petitioner	:	Shri Raja Sharma, Advocate.
For Respondent-State	:	Shri DK Wankhede, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25.10.2018**

1. The present petition has been filed assailing the order of transfer dated 06.10.2018 transferring the petitioner from Mahasamund to Ambikapur.
2. The said order has been challenged on many grounds.
3. Perusal of records would show that the ground of challenge is firstly the fact that the petitioner has crossed the age of 55 years and that he is suffering from certain medical ailment like Blood Pressure, Diabetes etc. The other ground he has raised is that the petitioner has already undergone training at the present place of work for election work and therefore under the guidelines issued by the Election Commission of India so also the State of Chhattisgarh the person who are entrusted with election duty should not be relieved till the election duties are over.
4. So far as other grounds raised by the petitioner is concerned, the same does not have much force for this court to entertain under Article 226 of the Constitution of India as those are areas which are exclusively within the domain of the State Govt. to consider and decide.

5. So far as the ground of his being sent on election duty is concerned, the petitioner has produced document in this regard to establish that the petitioner has already been sent on training at the present place of work and has already been given election duty.
6. Given the said facts and taking into consideration the guidelines issued by the Election Commission of India as also which has been reiterated by the State of Chhattisgarh, it is ordered that the petitioner shall not be relieved from the preset place of posting till the election duties are over.
7. The petitioner would be at liberty to move appropriate representation so far as his other grievances are concerned with the State Govt. which the authority may consider in accordance with rules.
8. The writ petition accordingly stands partly allowed and disposed of.

Sd/-

**(P. Sam Koshy
Judge**