

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 219 of 2019

Birendra Nath Pandey S/o Late Vidya Pandey Aged About 53 Years
Working On The Post Of Patwari Posted At Patwari Halka No. 21 Tahsil -
Rajpur, District Balrampur Ramanujganj Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management Mahanadi Bhawan New Raipur Chhattisgarh.
2. Collector (Land Record) Balrampur District Balrampur Ramanujganj Chhattisgarh.
3. The Sub Divisional Office (Revenue) Rajpur, District Balrampur Ramanujganj Chhattisgarh

---Respondents

For Petitioner	:	Mr. A.N. Pandey, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/01/2019

1. The present is a second round of litigation.
2. The challenge in the present writ petition is to the order Annexure P/2 dated 29.12.2018. The dispute is, in respect of the order of transfer dated 06.08.2018, whereby the petitioner has been transferred from Rajpur to Kusmi, District Balrampur-Ramanujganj.
3. The petitioner on an earlier occasion had filed a writ petition i.e. WPS No. 5283/2018. This Court had disposed of the said writ petition on 17.08.2018. While disposing of the said writ petition, this Court had granted an interim protection to the petitioner, till the representation finally decided. The respondents have now decided the representation on 29.12.2018, which has led to the filing of the present writ petition.

4. Perusal of the record would show that, deciding the representation, the authorities concerned, have taken into consideration the entire facts and circumstances of the case, which led to the issuance of the original order of transfer dated 06.08.2018. The grounds provided by the respondents, while deciding the representation, would by itself show that they had specific reasons for transferring the petitioner from the present place of posting.
5. Once the respondents have been able to show justifiable grounds and reasons for transferring, this Court in exercise of its writ jurisdiction under Article 226 of the Constitution of India, would not substitute itself and consider the veracity of the transfer order on merits. Moreover, this Court is also not inclined to interfere with the order for the reason that the distance between two place of posting also is not much.
6. For the aforesaid reasons, this Court does not find any strong case made out for interfering with the impugned order. The writ petition thus deserves to be and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
Judge

Ved