

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1369 of 2019

Smt. Sushma Tiwari W/o D. K. Tiwari Aged About 61 Years
Occupation- Chief Municipal Officer, Nagar Panchayat Sirgitti,
District- Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through- Secretary, Department Of Urban Affairs And Development, Atal Nagar, Mahanadi Bhavan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh.
2. Shri Jafar Khan Chief Municipal Officer, Nagar Palika Bhatapara, District- Balodabazar-Bhatapara, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Rakesh Pandey, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/02/2019

1. The challenge in the present writ petition is to the order Annexure P/1 dated 18.02.2019, whereby the services of the petitioner has been ordered to be transferred on the post of Chief Municipal Officer, from Nagar Panchayat, Sirgitti, District Bilaspur to Nagar Panchayat, Balauda, District Janjgir-Champa.
2. The contention of the petitioner is that the said order of transfer has been made in a very short span of time i.e. the petitioner was earlier transferred in June, 2018 i.e. less than 1 year's time, when the petitioner was transferred from Nagar Panchayat, Sakri to Nagar Panchayat Sirgitti vide order dated 05.06.2018, which the petitioner had acted upon.

3. The second ground, which the petitioner has raised for assailing the order of transfer is that the petitioner has got just about 7 months of service left for his retirement and this time the petitioner has been transferred from one district to another district. The petitioner would be put to a great inconvenience and it would also create problem for settling of the retiral dues that the petitioner would be entitled for.
4. Given the age of the petitioner and considering the period of 7 months' time of service left for the petitioner to retire, this Court is of the opinion that, let the petitioner's case be reconsidered by the respondent no.1 within a period of two months from today and till the fresh order is passed, the petitioner would not be released from the present place of posting i.e. Nagar Panchayat, Sirgitti, District Bilaspur.
5. With the aforesaid observations, the present writ petition stands disposed off.
6. Certified copy today.

Sd/-
(P. Sam Koshy)
Judge