

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1556 of 2019

D.R. Gurupanch S/o Late Agar Chand Gurupanch Aged About 59 Years Occupation Service, Presently Working As Assistant Engineer, Public Health Engineering, Public Health Engineering Department, Sub-Division Kasdol, District Balodabazar Bhatapara Chhattisgarh

---- Petitioner

Versus

State of Chhattisgarh, Through The Secretary, Department Of Social Welfare, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh

---Respondents

For Petitioner	:	Mr. D.C. Verma, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/03/2019

1. The challenge in the present writ petition is to the order dated 20.02.2019 (Annexure P/1), whereby the petitioner has been ordered to be transferred from the office of Public Health Engineering, Block Kasdol, District Balodabazar-Bhatapara to the Public Health Engineering Department of Sukma, District Sukma.
2. The challenge to the order was on the ground that the petitioner on an earlier occasion was transferred on 22.02.2016 from Kasdol to Saja. The said order was challenged before this Court vide WPS No. 49/2017, where this Court, granting interim protection to the petitioner, had disposed of the writ petition directing the authorities to decide the representation and meanwhile the petitioner was

permitted to discharge his duties at Kasdol itself. The impugned order now has been passed on 20.02.2019.

3. Perusal of the record would show that the petitioner at the place of posting has already put in more than 3 ½ years of service and as such his usual tenure of 3 years has already been completed at the present place of posting. If that be so, the fact that there was an earlier transfer order, which was agitated by the petitioner, loses its efficacy, as by virtue of the interim protection in the said writ petition, the petitioner has been permitted to remain at Kasdol and where he has discharged his duties for a period of well over 3 ½ years. This Court, therefore, does not find any strong case made out for interfering with the order of transfer. The petitioner would only be at liberty to make appropriate representation to the authorities for redressal of his grievance, if any.
4. With the aforesaid observations, the present writ petition stands dismissed.

Sd/-
(P. Sam Koshy)
Judge