

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1614 of 2019**

S.K. (Shiv Kumar) Singh Bhadauriya S/o Shri Harnam Singh Bhadauriya
Aged About 51 Years Working As Sub Engineer At Nagar Panchayat
Gunderhi, District Balod Chhattisgarh R/o New Adarsh Nagar, Durg District
Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mahanandi Bhawan, Mantralaya, Capital Complex, Atal Nagar, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Under Secretary Urban Administration And Development Department, Mahanandi Bhawan, Mantralaya, Capital Complex, Atal Nagar, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. The Director Urban Administration And Development Department, Directorate, Indravati Bhawan, Atal Nagar, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
4. Chief Municipal Officer Gunderdehi, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Dharmesh Shrivastava, Advocate
For State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/03/2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 18/02/2019. The challenge is to the order of transfer whereby the petitioner has been transferred from Nagar Panchayat, Gunderdehi to Nagar Panchayat, Maro. The substantial grievance of the petitioner is that the present impugned order is the fourth transfer order within a span of less than one year.

2. Counsel for the petitioner submits that initially the petitioner was posted at Berla and he was transferred from Nagar Panchayat, Berla to Nagar Panchayat, Patan by an order Annexure (P-2) dated 12/03/2018. The petitioner immediately on being relieved from Nagar Panchayat, Berla joined at Nagar Panchayat, Patan on 10/04/2018. Having worked there for about less than one month's time the petitioner again was transferred vide order dated 03/05/2018 from Nagar Panchayat, Patan to Nagar Panchayat, Saaja. This order was also acted upon and the petitioner gave his joining on 17/05/2018. Again in an interval of just around two month's time the petitioner was issued with an order of transferring the petitioner from Nagar Panchayat, Saaja to Nagar Panchayat, Gunderdehi. Without any objection, petitioner acted upon this order also immediately. Having worked there for a period of about five months now the impugned order again has been issued whereby the petitioner has been transferred from Nagar Panchayat Gunderdehi to Nagar Panchayat, Maro.
3. Perusal of the four transfer orders would clearly reveal that the petitioner in fact has been subjected to transfer four times in less than one year's duration.
4. Given the aforesaid factual matrix of the case, let petitioner make a representation to the respondent No. 1 in so far as the frequent transfer of the petitioner is concerned giving details of the past services of the petitioner and respondent No. 1 in turn shall reconsider the case of the petitioner so far as his transfer is concerned. Subject to the petitioner

making representation within a period of 10 days , respondent No. 1 in turn shall consider the representation at the earliest. Till the representation is decided, effect and operation of the impugned order so far as the petitioner is concerned shall remain stayed.

Sd/-

(P. Sam Koshy)
Judge

Rohit