

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.1875 OF 2019**

Awadh Ram Tandon S/o V D Tandon, Aged About 50 Years R/o Indrasen Nagar, 27 Kholi Mangla, Tahsil And District Bilaspur Chhattisgarh.

...**Petitioner(s)**

Versus

1. State Of Chhattisgarh Through Its Secretary, General Administration Department, Mahanadi Bhawan, New Raipur Chhattisgarh.
2. The Chief Electoral Officer, Sahstri Chowk, Old Mantralaya Premises Raipur Chhattisgarh.
3. The Collector, District Bilaspur Chhattisgarh.

... **Respondent(s)**

For Petitioner	:	Shri Shivang Dubey, Advocate.
For Respondent-State	:	Ms. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15.03.2019

1. The grievance of the petitioner in this petition is the order of transfer dated 06.03.2019 whereby the petitioner who is a Deputy Collector has been transferred from Bilaspur to Rajnandgaon.
2. The contention of the petitioner is that, the petitioner has been posted at the present place of posting i.e. Bilaspur only for a period about nine months when the impugned order now has been passed transferring him to different place. The second contention of the petitioner is that he has assigned certain election work by the Collector and in the midst of the election work the petitioner could not have been transferred. If at all if the petitioner was required to be transferred, appropriate approval/sanction ought to have been taken from the office of the Election Commission. Third contention of the petitioner is that, there is no replacement being made to the petitioner at Bilaspur and therefore if the petitioner continues at the present place i.e. at Bilaspur, the same would not adversely affect any third party right.

3. Given the aforesaid factual matrix of the case, let the petitioner make a detailed representation to the respondent No.1 within a period of 10 days from today and the respondent No.1 in turn shall consider and decide the representation at the earliest preferably within a period of 30 days. Till the representation of the petitioner is decided by the respondent No.1, there shall be stay of the effect and operation of the impugned order dated 06.03.2019 so far as the petitioner is concerned.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge