

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1895 of 2019

Sanjay Kaushik S/o Late Ramayan Prasad Kaushik, Aged About 42 Years, Working As Food Inspector Raipur, District- Raipur, Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Food Civil Supplies And Consumer Protectorn, Mahanadi Bhawawan Naya Raipur, District- Raipur, Chhattisgarh.
2. Director, Food And Civil Supplies, Indrawati Bhawan, Naya Raipur, District- Raipur, Chhattisgarh.
3. Collector, Raipur, District- Raipur, Chhattisgarh.

---Respondents

For petitioner	:	Shri Manish Nigam, Advocate.
For State	:	Shri Saleem Kazi, Dy.A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/03/2019

1. The grievance of the petitioner in the instant Writ Petition is the order of transfer Annexure-P/1 dated 20/02/2019 whereby the petitioner has been transferred from Raipur to Rajnandgaon (C.G.).
2. The sole ground which the counsel for the petitioner has raised is that, the petitioner is the State Secretary of the Employees Union to which he belongs and which is a recognized union. According to him, since the petitioner is a State level Secretary of the recognized union, he falls under one of those protected employees who could not be subjected to transfer for a period of two terms. That the petitioner has been nominated as the State

Secretary only in April-2018 and as such he has not even completed 1 year as Secretary of the union. He further submits that, the respondents also have arbitrarily relieved the petitioner from his present place of posting vide Annexure-P/2 dated 07/03/2019.

3. Given the aforesaid facts and circumstances of the case, let the petitioner make a representation to the respondent No.1 in this regard supported with all relevant records and documents and the policy of the State Government within a period of 10 days from today. That on receipt of such representation, the respondent No.1 shall decide the same within a further period of 30 days. It is ordered that till the representation of the petitioner is not decided by the respondent No.1, the order of transfer and the relieving order Annexures-P/1 and P/2 shall remain stayed.

4. The Writ Petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
JUDGE

Sumit