

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2012 of 2019

Arvind Chandrakar S/o Late Shri Devsharan, Aged About 30 Years,
Working As Patwari, Office Of Collectorate, Land - Record Branch,
District – Mahasamund, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster
Management Department, Mantralaya, Atal Nagar, New Raipur
Chhattisgarh
2. The Collector, District Mahasamund, Chhattisgarh
3. The Tahsildar, Pithora, District Mahasamund, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Raghvendra Pradhan, Advocate
For State	:	Mr. Samir Behar, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/03/2019

The challenge in the present writ petition is to the order Annexure P-1 dated 08/03/2019. The petitioner in the said order has been transferred from District Mahasamund to District Balodabazar. The petitioner is substantively a Patwari.

2. The contention of the petitioner is apart from other ground is that the petitioner being a Patwari was appointed under Section 104 of the Chhattisgarh Land Revenue Code and the appointing authority was Collector, therefore, he could not have been transferred by an order of the State Government and he could have been transferred only by an order of the

Collector. The second ground raised by the petitioner is that the petitioner is being transferred inter district his seniority is likely to get affected and so would his promotional avenues would get affected.

3. State counsel opposing the petition submits that it is a case where the State Government has all the powers for transferring the Patwaris from one District to another, in case, if special circumstance prevails.

4. Given the aforesaid facts and circumstances of the case, let petitioner make a detailed representation to the respondent No. 1 in this regard within a period of 15 days from today who in turn shall consider all the aforesaid grounds raised by the petitioner and those he would be raising in the representation. Till the representation is decided, the petitioner shall not be relieved from the present place of posting and the impugned order shall remain stayed so far as the petitioner is concerned.

**Sd/-
(P. Sam Koshy)
Judge**

Khatai