

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.2497 OF 2019**

Shyam Narayan Singh S/o Lal Chand Singh Aged About 49 Years R/o Patwari Halka No. 43, Gram Peat, Tahsil Mainpat, District Surguja Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, New Raipur, District Raipur Chhattisgarh.
2. Commissioner Land Records, Indrawati Bhawan, Atal Nagar, Raipur, Chhattisgarh.
3. Collector Land Records, Surguja, District Surguja Chhattisgarh.
4. Sharda Sinha Patwari, Land Records, Bijapur, District Bijapur Chhattisgarh.
5. Sub Divisional Officer Ramanujganj, District Surguja, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Manoj Paranjpe, Advocate.
For Respondent-State	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05.04.2019

1. The challenge in the present writ petition is to the order Annexure P-1 dated 28/02/2019. The petitioner in the said order has been transferred from the office of Land Records, Surguja to office of Land Records, Balrampur. 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 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 circumstances 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 and till the representation is decided, the petitioner shall not be relieved from the present place of posting, the impugned order shall remain stayed so far as the petitioner is concerned.

Sd/-
(P. Sam Koshy)
Judge