

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.3054 OF 2019**

1. Manmohan Sahu S/o Shri S. R. Sahu Aged About 33 Years R/o Village And Post Kodabhat, Tahsil- Pamgarh, District- Janjgir-Champa, Chhattisgarh.

...Petitioner(s)**Versus**

1. Union of India Through Director General, Central Industrial Security Force (Ministry of Home Affairs) Block-13, CGO's Complex, Lodhi Road, New Delhi.
2. Assistant Commandant/Administrative Central Industrial Security Force, Middle Section, Bhilai, District- Durg, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Rahim Ubwani, Advocate.
For Respondents	:	Shri B. Gopa Kumar, Asst. Solicitor General.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26.04.2019**

1. Challenge in this petition is to the impugned order of transfer dated 06.04.2019 transferring the petitioner from SECL, Bilaspur (CG) to WCL, Chhindwada (MP).
2. The challenge is on the ground that the petitioner has been working from 2008 to 2017 in the North East Sector and thereafter he was posted in the Home Sector as per transfer guidelines applicable in the department. After having worked for two years at Bilaspur, the petitioner now by way of impugned order has been shifted to Chhindwada (MP). According to the petitioner, the respondents should not have transferred the petitioner within so short of span after having worked for about 9 years at North East Sector.
3. Having gone through the guidelines framed by the department, so far as petitioner is concerned, if we look into the guidelines the department has framed a policy of posting a personnel wherein it is envisaged that for about 7 years initial posting has to be Out of Home Sector and thereafter the personnel would be posted at Home Sector for a period of next 12

years. So far as Sector is concerned, the petitioner falls within Central Sector as the place of residence of the petitioner is Chhattisgarh and the Central Sector consist of Madhya Pradesh and Chhattisgarh. The policy only mentions that he would be posted for 12 years within the Home Sector after having worked for 7 years Out of Home Sector. The impugned order as such transferring the petitioner from Chhattisgarh to Madhya Pradesh would not therefore be a violation of the guidelines as Madhya Pradesh also is within the same Sector in which the petitioner falls.

4. So far as short tenure of the petitioner at Bilaspur is concerned, the said grievance is one which can be looked into only by the department and that would not be an area which can be dealt into by this court in its power of judicial review while scrutinizing the order of transfer.
5. Given the facts, this court does not find any strong case made out by the petitioner for interfering with the impugned order of transfer. The petitioner, if at all if he is aggrieved of the impugned order or has some personal inconvenience in the execution of the order, he may approach the authorities in the department for ventilating his grievance. In case if he makes any representation in this regard, the competent officer shall consider the same and take an appropriate decision.
6. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge