NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (S) NO.4845 OF 2019

Rajesh Jaiswal S/o Shri Hari Prasad Jaiswal Aged About 36 Years Working As - District Manager In Chhattisgarh State Marketing Corporation Ltd. District Janjgir Champa Chhattisgarh, Earlier Working As District Excise Officer In The Office Of Assistant Commissioner C.G. Excise Department Janjgir District Janjgir Champa C.G. R/o Ward No. 4 Deepka Tahsil Katghora District Korba Chhattisgarh.

…Petitioner(s)

Versus

1. State Of Chhattisgarh Through - Its Secretary, Department Of Commercial Tax (Excise) Mantralaya, Mahanadi Bhawan New Raipur Police Station Rakhi District Raipur Chhattisgarh.
2. The Commissioner, Office of Chhattisgarh Excise Commissioner Raipur District Raipur Chhattisgarh.

… Respondent(s)

For Petitioner	:	Shri PK Tulsyan, Advocate.
For Respondent-State	:	Shri Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.07.2019

1. The challenge in the present Writ Petition is to the order Annexure-P/1 dated 25.06.2019 whereby the petitioner has been transferred from Janjgir Champa to Jashpur (CG).
2. The counsel for the petitioner submits that the action on part of the respondents clearly falls within the ambit of frequent transfer. He further submits that the impugned transfer order has been issued within four months of his earlier transfer order dated 05.02.2019 and nine months from the order dated 12.09.2018. He further submits that the order has been issued without any administrative exigency and ignoring the fact that the petitioner has already served four years of service at Scheduled Area.
3. The State counsel opposing the petition submits that the order of transfer has been issued on administrative exigency looking into requirement of work in different offices of the State Govt. under the respondents. Thus, the impugned order does not warrant any interference.

4. Given the aforesaid facts and circumstances of the case, particularly taking into consideration the entire factual matrix of the case, this court is of the opinion that ends of justice would meet if the writ petition is disposed of with a direction to the petitioner to approach the authorities for ventilating his grievances by making detailed representation within a period of 15 days from today and the respondents are expected to decide the same within a further period of 30 days from the date of receipt of representation by the petitioner.

5. The Writ Petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

inder