

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5651 of 2019

Raghuraj Singh S/o Late Vishwanath Singh, Aged About 42 Years
Occupation Panchayat Secretary, Gram Panchayat Oranga, Janpad
Panchayat Ramchandarpur, District- Balrampur-Ramanujganj,
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh
2. Collector, Balrampur Ramanujganj, District- Balrampur-Ramanujganj, Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat, Ramchandarpur, District- Balrampur-Ramanujganj, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Shakti Raj Sinha, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/08/2019

1. The challenge in the present writ petition is to the order dated 12.07.2019 Annexure P-1 which is a transfer order issued by the Collector of District Balrampur Ramanujganj. Vide the impugned order, the petitioner is being transferred from Gram Panchayat Oranga, Janpad Panchayat Ramchandarpur to Gram Panchyat Madguri, Janpad Panchayat Kusmi.

2. The ground of challenge is that the wife of the petitioner is also a Shiksha Karmi and posted at Janpad Panchayat Ramchandarpur and the petitioner was posted in nearby Gram Panchayat i.e. Oranga. According to the petitioner, now he is being sent to a far away distance which would affect his family life. Moreover, he has been given appointment under the ex-servicemen quota and therefore, he should have been granted some preferential treatment to stay along with his spouse at the same place. It is contended that at the present place of posting at Oranga the petitioner was posted only in 2017 and as such it is not a case where he has been working at the present place of posting since long.
3. Given the aforesaid contentions of the petitioner, let the petitioner make a representation to the respondent no.2 within a period of 15 days from today and the Collector in turn shall consider the representation of the petitioner taking into consideration the grounds that have been raised, within a further period of 30 days from the date of receipt of representation of the petitioner.
4. Till the representation is decided by the Collector, the impugned order so far as the petitioner is concerned shall not be given effect to.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge