

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6387 of 2019**

Prakash Pal S/o - Late S. K. Pal, Aged About 38 Years, Presently
Posted As District Excise Officer, Bemetara, District Bemetara
Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Commercial Tax (Excise), Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh
2. Under Secretary, State Of Chhattisgarh, Commercial Tax (Excise), Mantralaya Mahanadi Bhawan, Atal Nagar Raipur, District Raipur Chhattisgarh
3. Collector, Bemetara, District Bemetara, Chhattisgarh
4. Dev Lal Vaide Posted As District Excise Officer, Korea, District Korea Chhattisgarh **---- Respondents**

For Petitioner	:	Mr. Raghvendra Pradhan, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26.08.2019**

1. The challenge in the present writ petition is to the impugned order Annexure P-1 dated 13.08.2019 whereby the services of the petitioner have been transferred from district Bemetara to district Korea.
2. Counsel for the petitioner submits that in the past 4 ½ years, the petitioner has been subjected to 5 inter-district transfers. He submits that the petitioner vide order dated 30.04.2016 was transferred from Raipur to

Mungeli which the petitioner complied. The petitioner again vide order dated 31.05.2017 was transferred from district Mungeli to district Janjgir-Champa. Only on completion of 12 months, again the services of the petitioner were transferred from Janjgir-Champa to District Raipur vide order dated 26.06.2018. The petitioner worked at Raipur for a period of only one year when the petitioner was again transferred on 25.06.2019 from Raipur to district Bemetara and the petitioner joined at Bemetara on 09.07.2019. In just about one month time, the petitioner now again vide impugned order dated 13.08.2019 has been transferred from Bemetara to district Korea.

3. The aforesaid dates and the transfer orders would clearly reflect that the case of the petitioner can easily be brought within the ambit of frequent transfer inasmuch as the petitioner has been transferred 5 times within a period of 4 ½ years.
4. Given the said fact, let the petitioner make a detailed representation to the respondent no.1 within a period of 2 weeks from today and the respondent no.1 in turn shall consider the grievance of the petitioner and decide the representation within a further period of 45 days from the date of receipt of representation of the petitioner.
5. Till the representation of the petitioner is decided, there shall be stay of the effect and operation of the impugned order so far as the petitioner is concerned.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge