

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6367 of 2019**

Rahul Kumar Mishra S/o Shri Shayam Kant Mishra, Aged About 34 Years, Working On The Post Of Assistant Grade - 3, R/o Ward No. 7 Bai - Sagar Para, Baikunthpur, District Koriya, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Finance, Mahanadi Bhawan Mantralay, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur Chhattisgarh
2. Under Secretary Finance, Mahanadi Bhawan Mantralay, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur Chhattisgarh
3. Director, Treasury, Accounts And Pension Naya Raipur, Atal Nagar Raipur, District Raipur, Chhattisgarh
4. District Treasury Officer, Baikunthpur, Koriya, District Koriya Chhattisgarh
5. Gulab Kamro M L A, Sonhat (Bharatpur) R/o Ward No. 4, Village Salhi, Post Kathotiya, Tahsil Manendragarh, District Koriya Chhattisgarh

---- Respondents

For Petitioner	:	Mr. V. K. Pandey, Advocate
For State/Respondents 1 to 4	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22.08.2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 13.08.2019. Vide the impugned order the petitioner has been transferred from district Treasury Koriya to district Treasury Bijapur.
2. The contention of the counsel for the petitioner is that the petitioner has been transferred from one scheduled area to another core scheduled area. According to the petitioner, having worked at one scheduled area for 4 years, the petitioner ought to have been considered for being transferred to a non-scheduled area. The further contention of the petitioner is that the present transfer order has been made not on administrative exigency but on account of political interference as is evident from the order dated 08.06.2019 Annexure P-3 which is a correspondence made by one of the political leaders who had requested for transfer of the petitioner.
3. Counsel for the petitioner, at this juncture, submits that if at all, if the respondents intend to transfer the petitioner on administrative exigency, the respondents under the transfer policy ought to have considered posting of the petitioner to a non-scheduled area and the petitioner is ready to go to any non-scheduled area.
4. Given the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation to the respondent no.1 within a period of 10 days from today and the respondent no.1 in turn shall consider the same within a further period of 30 days from the date of receipt of representation of the petitioner.
5. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as the petitioner is concerned

shall remain stayed.

6. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**

Khatai