

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6412 OF 2019**

Sachin Goyal S/o Naresh Kumar Agrawal Aged About 32 Years R/o Bhaiyathana, Post Office, Police Station and Tahsil Bhaiyathan, District Surajpur, Chhattisgarh, Working On The Post Of Stenographer Grade 3 Collector Office Koriya, District Koriya, Chhattisgarh.

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

1. State of Chhattisgarh Through The Secretary Revenue and Disaster Management, Mahanadi Bhawan Mantralay, Naya Raipur, Post Office and Police Station Naya Raipur, District Raipur, Chhattisgarh.
2. Deputy Secretary Revenue and Disaster Management, Mahanadi Bhawan Mantralay, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur, Chhattisgarh.
3. Collector Koriya District Koriya, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri VK Pandey, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Govt. Advocate.

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

1. Challenge in this petition is to the order of transfer dated 13.08.2019 whereby the petitioner, who is a Stenographer Grade-III, has been transferred from the office of Collector, Koriya to the office of Collector, Surajpur.
2. The contention of the petitioner is that, the impugned order has been passed not on the administrative exigency, but because of the political interference, inasmuch as, the same has been made at the behest of the representation made by some political person in the area. The second ground of challenge is that, though he is being transferred to Surajpur vide impugned order, but at Surajpur there is no sanctioned vacant post of Stenographer Grade-III and therefore the petitioner would find it difficult for getting his salary and other allowances. The petitioner drew the attention of the court to Annexure P/2 dated 06.03.2017 whereby on an earlier occasion also the petitioner was transferred to Surajpur, but he was

not given joining at Surajpur for the reason that there was no vacant sanctioned post available at Surajpur and thereafter the petitioner was transferred to a different place i.e. at Koriya. According to the petitioner, this time also he would face the same difficulty if the order of transfer is acted upon.

3. Given the aforesaid facts and circumstances of the case, particularly taking note of the earlier transfer order dated 06.03.2017 wherein they had shifted the place of the petitioner from Surajpur to Koriya for the reason that there was no vacant sanctioned post available at Surajpur, this court is of the opinion that let the petitioner approach the respondent No.1 by way of a representation within a period of 15 days from today, and the respondent No.1 in turn, shall taken into consideration the aforesaid facts and also the fact that there is no sanctioned post of Stenographer Grade-III available at the office of Collector, Surajpur and pass an appropriate order within a further period of 45 days.
4. Till the representation of the petitioner is finally decided, the effect and operation of the order dated 13.08.2019 so far as petitioner is concerned shall not be given effect to.
5. The writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge