

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.7268 OF 2019**

Mohd. Farid Khan S/o Fazlu Rahman Khan Aged About 40 Years Revenue Inspector, R.N.M. Sardi, Tahsil - Baikunthpur, District - Korla, Chhattisgarh, R/o Village, Post, and Police Station - Patna, District - Korla, Chhattisgarh.

...Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhavan, Mantralaya, Police Station And Post - Rakhi, Nawa Raipur Atal Nagar District - Raipur Chhattisgarh.
2. Director, Land Records, Indravati Bhavan, First Floor, Block - 2, Police Station And Post - Rakhi, Nawa Raipur, Atal Nagar, District - Raipur Chhattisgarh.
3. Collector (Land Records) District Korla Chhattisgarh.
4. Collector (Land Records) District Surguja Chhattisgarh.
5. Sub Divisional Officer (Revenue) Baikunthpur, District Korla Chhattisgarh.
6. Tehsildar, Baikunthpur District Korla Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Santosh Kumar Pandey, Advocate.
For Respondent-State	:	Shri Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16.09.2019

1. Challenge in the present Writ Petition is to the order of transfer dated 13.08.2019 whereby the petitioner has been transferred from Koriya to Surguja.
2. The contention of the petitioner is that, the petitioner falls within the protected category as he is the District Secretary of Chhattisgarh Revenue Inspector's Association and therefore he has protection under the transfer policy of the State from being transferred. The Second ground of challenge is that, the petitioner has been subjected to frequent transfer as would be evident from previous order of transfer one being the order dated 12.12.2017 transferring the petitioner from Koriya to Janjgir Champa, the second being the order dated 28.04.2018 whereby the petitioner was again transferred from Janjgir Champa to Koriya, the third being the order dated 06.02.2019 transferring the petitioner from Kotadol,

Koriya to Sardi, Baikunthpur, and now vide the impugned order within a short span of time the petitioner is again transferred from Koriya to Surguja.

3. Given the aforesaid facts, let the petitioner make a representation in this regard to the respondents within a period of 10 day from today along with copy of transfer policy of the State highlighting the aspect of the petitioner being under the protected category, who, in turn, shall consider and decide the same in accordance with transfer policy at the earliest preferably within a further period of 45 days.
4. Till the representation of the petitioner is decided, the effect and operation of the impugned order so far as petitioner is concerned shall remain stayed.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder