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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7168 of 2019**

Nand Kumar Daharia S/o - Shri Fagu Singh Daharia, Aged About 53 Years, R/o - Kamal Colony, Baloda Bazar, Police Station, Tahsil And District Baloda Bazar Bhatapara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Commercial Tax (Excise), Mahanadi Bhawan, Mantralaya, Police Station And Post Rakhi, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. District Excise Officer (D.E.O.) Office Of D.E.O., Department Of Excise, Baloda-Bazar, District Baloda Bazar-Bhatapara, Chhattisgarh
3. Assistant District Excise Officer (A.D.E.O.), Control Room (Ware House), Department Of Excise, Baloda-Bazar, District Baloda-Bazar-Bhatapara, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Abhishek Pandey, Advocate.
For State	:	Ms. Abhyunati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****19.09.2019**

1. The challenge in the present writ petition is to the impugned order Annexure P-4 dated 13.08.2019 whereby petitioner has been transferred from Balod-Bazar-Bhatapara to Raipur.

2. The contention of the petitioner is that he is a Constable in the Excise Department and the appointing authority of the petitioner is the District Excise Officer. The seniority and promotion of the petitioner is maintained district wise and the next promotional post which the petitioner is entitled for i.e. the post of Head Constable also is a promotional post which is filled up by the Constables working in the same district. Further contention of the petitioner is that if he is shifted from the present place of posting to a different district, his promotional avenues would get adversely affected.
3. Given the aforesaid facts and circumstances of the case, subject to verification of the same, let the petitioner make a detailed representation to the respondents within 10 days from the date of receipt of certified copy of this order and the respondents in turn shall consider the same within a period of 45 days from the date of receipt of the representation.
4. 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.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge