

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7299 of 2019**

Rudresh Nayak S/o Shri N.B. Nayak Aged About 44 Years Posted At Office Of Collector, Land Record Branch, District Raigarh As Revenue Inspector, Presently R/o Krishna Vatika Boirdadar, Raigarh District Raigarh, Civil And Revenue District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhavan, Atal Nagar Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Office Of Commissioner Land Record, Chhattisgarh, Raipur, Indravati Bhawan, First Floor Block -2 Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Office Of Collector Land Record Branch, Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. Collector Raigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Rajendra Tripathi, Advocate.
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11/09/2019**

1. The challenge in the present writ petition is to the impugned order Annexure P/1 dated 23.08.2019, whereby the petitioner has been transferred from the office of Collector, Land Record Branch Raigarh to the office of Collector, Land Record Branch, Jashpur.
2. The contention of the petitioner is that the petitioner has been subjected to frequent transfer/change of posting, in as much as the petitioner was first transferred vide order of promotion dated 12.12.2017 from Raigarh to Rajnandgaon. After about 5 months time the said order of transfer was further modified vide order dated 28.04.2018 and the petitioner was transferred back from Rajnandgaon to Raigarh and now within one year's time the petitioner has again been issued with an order of

transfer transferring him from Raigarh to Jashpur, therefore according to the petitioner it is a case of frequent transfer.

3. The second ground of the petitioner is that the petitioner's daughter is pursuing studies of 10th board examination at Raigarh and at this juncture if the order of transfer is given effect to, the daughter of the petitioner would face great difficulties, so far as the educational front is concerned.
4. Given the aforesaid facts and circumstances of the case, let the petitioner make a detailed representation to the respondents within a period of 10 days from the date of receipt of the copy of this order and the respondents in turn shall decide the same within a further period of 45 days from the date of receipt of the representation.
5. Meanwhile, the effect and operation of the impugned order shall remain stayed, so far as the petitioner is concerned.
6. The State authorities are also directed to avoid carrying out transfers during the mid education session, rather the transfer orders on administrative exigency by the State Government could be considered at the beginning of the academic session of a school, which could avoid and prevent great inconvenience which the parents face, so far as getting admission and also would hamper the studies of the students, etc.
7. Let a copy of this order be sent to the Chief Secretary of the State and the Principal Secretary of the concerned Department for necessary instructions.
8. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge