

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 8019 OF 2019**

Pramod Singh, S/o Sarayu Prasad Singh, aged about 52 years, presently posted and working as In-charge Chief Executive Officer, Janpad Panchayat, Balrampur, District Balrampur-Ramanujganj (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Department of Tribal Welfare, Mahanadi Bhawan, Mantralaya, Naya Raipur, Atal Nagar, Post office & Police Station Naya Raipur, Atal Nagar, District Raipur (CG)
2. Commissioner, Tribal Welfare Department, Indrawati Bhawan, Naya Raipur, Atal Nagar, Post office & Police Station Naya Raipur, Atal Nagar, District Raipur (CG)
3. Collector, District Balrampur-Ramanujganj (CG)
4. Chief Executive Officer, Zila Panchayat, District Balrampur-Ramanujganj (CG)
5. Vinay Gupta, In-charge Chief Executive Officer, Janpad Panchayat, Sitapur, District Surguja (CG)

... Respondents

For Petitioner	:	Mr. Rakesh Kumar Jha, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01/10/2019**

1. Challenge in the present writ petition is to the order dated 13.9.2019 (Annexure P-1) whereby the petitioner has been transferred from Janpand Panchayat, Balrampur to Janpad Panchayat, Shankargarh.
2. Contention of the counsel for the petitioner is that the petitioner is being sent to Shankargarh from where the In-charge Chief Executive Officer, namely, Shri Samudra Sai was transferred to Balrampur. However, the said Samudra Sai has filed a writ petition, i.e., WPS No. 7065/2019, on the ground that he has got only around 8 months' service left and in between he may not be disturbed, and this Court vide its order dated 9.9.2019 has granted him an interim protection from being transferred from Shankargarh looking to his short tenure of service and meanwhile the State was directed to consider and decide his representation. Counsel for the petitioner therefore submits that pursuant to the said interim protection granted to Shri Samudra Sai, the In-charge Chief Executive Officer at Shankargarh, the present petitioner who is now stand transferred to Shankargarh would find it difficult to give his joining there.

3. Given the said facts and circumstances of the case, it would be more appropriate if the petitioner also may make a representation to respondent no.1 highlighting this aspect and the respondent no.1 in turn shall consider and decide the representation of the petitioner as well as that of Shri Samudra Sai, the petitioner in WPS No. 7065/2019, and pass an order afresh taking into consideration the administrative exigency and the transfer policy.
4. Till then, let status quo as it exists today be maintained so far as the posting of the petitioner is concerned.
5. With the aforesaid, the writ petition stands disposed of.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE