

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 8308 of 2019**

Pranow Rai S/o Late Prem Prakash Rai, Aged About 36 Years
Presently Working And Posted As Revenue Sub Inspector, Nagar
Palika Parishad Jashpur, District Jashpur Chhattisgarh. R/o Ward No.
2, Near Nagar Palika, Tahsil And District Jashpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Urban Administration
And Development Department, Mantralaya, Mahanadi Bhawan, Atal
Nagar, Nawa Raipur, District Raipur, Chhattisgarh
2. Under Secretary, State Of Chhattisgarh, Urban Administration And
Development Department, Mantralaya, Mahanadi Bhawan, Atal
Nagar, Nawa Raipur, District Raipur, Chhattisgarh
3. Collector Jashpur, District Jashpur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Rahul Agrawal, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****04.10.2019**

1. The challenge in the present writ petition is to the order of transfer dated
22.08.2019 Annexure P-1 whereby the petitioner has been transferred from
Nagar Palika Parishad Jashpur, district Jashpur to Nagar Panchayat
Bhopalpatnam, district Bijapur.
2. The contention of the petitioner is that the petitioner primarily is an

employee of Nagar Palika Parishad and vide the impugned order he is being transferred to Nagar Panchayat. According to the petitioner, the service conditions governing the two different set of schools are different and therefore, the petitioner could not have been transferred from Nagar Palika Parishad to Nagar Panchayat as seniority of the petitioner would get adversely affected. The second ground of challenge is that the petitioner has been transferred from one scheduled area to another core scheduled area. According to the petitioner, at the present scheduled area, the petitioner is working since 2013 i.e. for almost 6 years and if at all if the respondents intended to transfer the petitioner, they should have transferred him to a non-scheduled area.

3. Given the aforesaid facts, let the petitioner make an appropriate representation to the respondents within 10 days from the date of receipt of certified copy of this order and the respondents in turn, subject to verification of the said facts, shall consider and decide the representation of the petitioner within a further 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