

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8530 of 2019**

- Rajeev Shrivastava, S/o Late Laxman Prasad Shrivastava, Aged About 49 Years, Presently Posted And Working As Patwari Halka No. 21 Gangapurkhurd, R I Circle Ambikapur - 6, Tehsil Ambikapur District - Surguja Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Revenue Department Government Of Chhattisgarh, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.
2. Collector, Surguja Ambikapur District - Surguja Chhattisgarh.
3. Sub Divisional Officer, Ambikapur (Surguja) Chhattisgarh.
4. Sub Divisional Officer, Sitapur, District Surguja Chhattisgarh.
5. Tribhuvan Singh, Patwari Halka No. 14 Guturma, Tehsil Sitapur, District - Surguja Chhattisgarh.

---- Respondents

For Petitioner : Shri Rakesh Kumar Jha , Advocate

For Respondents/ State : Shri Alok Bakshi, Additional Advocate General

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****17/10/2019**

1. The grievance of the petitioner is that the petitioner though joined the post of Patwari at Gangapurkhurd, Tehsil Ambikapur by order dated 30.05.2019 within 4 months he has been again transferred to other block Guturma, Tehsil Sitapur, which is 80 kms away from the present place of posting. It is stated that transfer of petitioner has been done when the ban period was existing as per the policy of the State. It is further contended that the petitioner is a Divisional President for Patwari Sangh, Ambikapur;

therefore, as per Clause 1.4 of the Policy of the State, the person who holds some post in association, he cannot be transferred. Further, it is contended that the petitioner has three minor children and one of them has suffered serious head injury presently being treated at Ambikapur, therefore the transfer within the sort period of time may not be given effect to.

2. Perused the documents which shows that the petitioner is office bearer of Patwari Sangh, Ambikapur. After perusal of Clause 1.4 of the Policy of the State, it is directed that the petitioner is given liberty to file a fresh representation to the Collector, Surguja within 15 days. If such representation is filed the same may be decided within a further period of 45 days.
3. Till the representation is decided the transfer order of the petitioner order shall not be given effect to.
4. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Jyoti