

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9116 of 2019**

Santosh Dubey, S/o. Shri B.P. Dubey, Aged About 53 Years, R/o. Bhavana Nagar, Khamardeeh, Raipur, Police Station - Khamardeeh, Tahsil And Distt. Raipur Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through Its Secretary, Department Of Excise (Commercial Tax), Mahanadi, Mantralaya, Police Station And Post- Rakhi, Atal Nagar, Raipur, District- Raipur, Chhattisgarh
2. Deputy Commissioner, Office Of Deputy Commissioner, Department Of Excise, Collectorate Premises, Raipur, District Raipur, Chhattisgarh
3. District Excise Officer (DEO) Office Of Deputy Commissioner, Department Of Excise, Collectorate Premises, Raipur, District Raipur, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Abhishek Pandey, Advocate
For State/Respondents	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

08.11.2019

Heard

1. The challenge in the present writ petition is to the impugned order Annexure P-1 dated 13.08.2019 whereby petitioner has been transferred from District Raipur to District Mahasamund.
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 dispose

Sd/-
Goutam Bhaduri
Judge