

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9891 of 2019**

- Dinesh Kumar Gupta S/o. Late Jaggarnath Prasad Aged About 50 Years Posted As- Assistant Grade II, Office Of Assistant Commissioner, Tribal Welfare Department District-Balrampur, Ramanujganj, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- The Secretary, Department Of Tribal Welfare, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. Commissioner Surguja Division Ambikapur District Surguja, Chhattisgarh
3. Assistant Commissioner Tribal Welfare Department Balrampur District Balrampur Ramanujganj, Chhattisgarh
4. Assistant Commissioner Tribal Welfare Department Jashpur District Jashpur, Chhattisgarh
5. Collector Balrampur District Balrampur Ramanujganj, Chhattisgarh

---- Respondents

For Petitioner : Shri Nishi Kant Sinha, Advocate

For Respondents/State : Shri Soumya Rai, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****29/11/2019**

1. Grievance of the petitioner is that the petitioner who is Assistant Grade-II in the office of Assistant Commissioner, Tribal Welfare Department, District Balrampur-Ramanujganj has been transferred to Assistant Commissioner, Tribal Welfare Department, Jashpur, District Jashpur.
2. It is contended that the seniority of the petitioner is maintained district wise, as it

was district cadre; therefore, if the petitioner is transferred from one district to another, it would affect the seniority. Consequently, the transfer order in respect of the petitioner dated 04.11.2019 may be canceled.

3. After perusal of the documents, prima facie, it appears that the seniority of the petitioner is being maintained in the district. Taking into such fact, the petitioner is given liberty to make a representation to the Commissioner, Sarguja Division within a period of 15 days, who in turn shall decide the same within an outer limit of 60 days from the date of receipt of the representation. Till then, the transfer of the petitioner shall not be given effect to, if it has not been carried out till date.
4. With such observation, the petition stands disposed off.

Sd/-

Goutam Bhaduri
Judge

Ashu