

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.(S) No. 9688 of 2019**

Smit Kumar Gupta, S/o. Late Binod Prasad Gupta, Aged About 32 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 Koriya, District Koriya Chhattisgarh
5. Collector Balrampur, District Balrampur Ramanujganj, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Shakti Raj Sinha, Advocate

For State : Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****26.11.2019**

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, District Koriya.
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

Ashok