

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 26 of 2020

Arvind Kumar Gupta S/o. Gangaprasad Gupta Aged About 57 Years
Gangapur Khurd, Ward No. 47, Ambikapur, District Surguja,
Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through- Secretary, Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur, Chhattisgarh.
2. Director, Urban Administration And Development, Directorate, Indravati Bhawan, Mantralaya, Capital Complex, Naya Raipur, District Raipur, Chhattisgarh.
3. President Nagar Panchayat Jarhi, District Surajpur, Chhattisgarh.
4. Joint Director Urban Administration And Development, Bilaspur, District Bilaspur, Chhattisgarh.

----Respondents

For petitioner – Shri Anurag Singh, Advocate.
For State-Shri Ravish Verma, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

07/01/2020

1. Grievance of the petitioner is that the petitioner who is Assistant Revenue Inspector has been transferred from Nagar Panchayat, Jarhi to Nagar Panchayat, Gaurella and Jarhi is schedule area which comes under District Surajpur. It is contended that as per policy of the transfer, person who are posted in schedule area, if reliever has not been appointed then transfer would automatically come to an end as it would be nullity as per clause 2.4 of the transfer policy. He would further submit that by transfer of the petitioner from Jarhi to Gaurella his seniority will be affected as seniority is maintained district cadre wise, subsequently it will have negative effect on the promotion.
2. Considering the fact that since the petitioner has categorically raised this ground that transfer of the petitioner from Jarhi to Gaurella

would affect his promotional avenues as his seniority will be affected on the ground that the seniority are maintained in the district cadre wise and certain grievance of the petitioner has to be redressed transfer cannot be detrimental to it. In view of this, the petitioner is given liberty to make a representation before the Grievance Redressal Committee within a period of 15 days from today. If such representation is filed, same may be decided within a further period of 45 days. Since it has been stated that the petitioner has not been relieved, no coercive action shall be taken against the petitioner till representation is decided and further action are expected to be made as per terms of the transfer policy made by the State.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE