

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 545 of 2020**

Rakesh Jaiswal S/o Shri R.P. Jaiswal Aged About 53 Years Joint Director,
Municipal Corporation Chhattisgarh. R/o Ashok Nagar, Police Station Sarkanda,
District Bilaspur Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh through the Secretary Department of Urban Administration and Development Mantralaya, Mahanadi Bhawan, Nawa Raipur , District Raipur Chhattisgarh.
2. The Under Secretary Department of Urban Administration and Development , Mantralaya , Mahanadi Bhawan , Nawa Raipur, District Raipur Chhattisgarh.,
3. The Director Department of Urban Administration And Development Department Mantralaya Mahanadi Bhawan , Nawa Raipur , District Raipur Chhattisgarh.

---- Respondents

For the Petitioner	: Mr. Dharmesh Shrivastava, Advocate
For the Respondents	: Ms. Akanksha Jain, Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****23.01.2020**

1. The grievance of the petitioner is that on 02.08.2016 the petitioner was transferred from Municipal Corporation Dhamtari to Municipal Corporation Bilaspur. Subsequently on 21.08.2017 he was transferred from Bilaspur and posted as Joint Director at Regional Office, Urban Administration and Development, Ambikapur. Thereafter, on 12.03.2018 he was again transferred from Ambikapur to Bilaspur to the post of joint director and on 12.07.2019, the petitioner was again transferred from Bilaspur to Jagdalpur to the same post of Joint Director, which was subject of challenge in WPS No.5750 of 2019 wherein this Court on 06.09.2019 has passed the order directing the petitioner to file a detailed representation. It is contended that though the representation was filed,

yet the same has not been decided and the petitioner has joined at Jagdalpur. However, by the impugned order dated 15.01.2020, the petitioner has again been transferred from the Office of Joint Director, Urban Administration and Development Bastar to Mahasamund to the post of Chief Municipal Officer which is under challenge in this writ petition. Learned Counsel submits that present transfer would be the 5th transfer within a span of 3 ½ years, therefore, the transfer order (Annexure P-1) be cancelled.

2. Learned State Counsel opposes the arguments of the petitioner.
3. A perusal of the documents would go to show that the petitioner was subjected to frequent transfers to different places and within a period of 3 ½ years, as many as 5 transfers as appears have been effected. Therefore, taking into consideration such fact, the petitioner is given liberty to file a fresh representation before the Grievance Reddressal Committee within a period of 15 days from the date of receipt of this order and on such representation being filed, the same shall be considered and decided by the Said Committee within a further period of 45 days. Till then, the impugned transfer order dated 15.01.2020 so far as it relates to the petitioner shall not be given effect to.
4. With the above observation/direction, the writ petition accordingly stands disposed off.

Sd/-
(GOUTAM BHADURI)
JUDGE