

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1581 of 2020**

- Ms. Mamta Joshi D/o Shri Chandrakant Joshi Aged About 55 Years Posted As Project Officer, At State Resource Center, Women And Child Development, H.Q.- Vinayaka Vihar, D.D. Nagar Raipur Chhattisgarh. R/o 114, Sunder Nagar, Raipur District Raipur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Secretary, Women And Child Development, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Rajesh Kumar Kesharwani, Advocate
For Respondents/State	:	Shri Avinash Singh, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/03/2020**

1. Heard.

2. This is second round of litigation. The petitioner has been transferred from State Resource Center, Raipur to Unified Child Development Service Project, Fingershwar, District Gariyaband by order dated 08.11.2019 which was subject of challenge in WPS No. 9668 of 2019 wherein this Court on 25.11.2019 has passed the following orders:-

"1. Grievance of the petitioner is that the petitioner by order dated 8/11/2019 has been transferred from State Resource Center, Raipur to Unified Child Development Service

Project, Fingeshwar, District Gariyaband on administrative ground. Learned counsel for the petitioner submits that on the earlier occasion in 2017 the petitioner was placed at State Resource Center, Raipur on the ground that father of the petitioner is 82 years old and the petitioner not being married, her father is bed ridden and she is to take care of her father as he is not able to perform the daily activities.

2. Perused the document. Annexure P-3 is the medical document wherein it is stated that Mr. Chandrakant Joshi 82 years is bed ridden, he is unable to perform his daily activity. Considering the fact, it is directed that the petitioner shall make a representation within a period of 15 days from today to the respondent. If such representation is filed, same may be decided within a further period of 45 days. Till then the transfer order dated 8/11/2019 in respect of the petitioner shall not be given effect to.

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

3. Learned counsel for the petitioner would submit that thereafter the representation having been made has been dismissed by order dated 24.02.2020. Perused the order of rejection perusal of it shows that all the grounds raised by the petitioner has been considered in the representation.
4. Further, it is well settled law that the transfer of a Government Servant appointed to a particular cadre of transferable post from one place to the another is an incident of service, which cannot lightly be interfered with by Courts unless it is shown to be clearly arbitrary or visited by mala-fide or infraction of any prescribed norms of principles governing the policy of transfer. No Government servant or employee of Public undertaking has

legal right for being posted at any particular place.

5. In view of the above settled legal position, I am not inclined to interfere with the impugned transfer order. Accordingly, this petition is dismissed.
6. With the aforesaid observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Jyoti