

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3251 of 2020**

- Smt. Kanta Chauhan D/o Shri Kalapram Chauhan, Aged About 35 Years Occupation Govt. Employee, Presently Working as Patwari at P.H. No. 9, Chantipali (Wrongly Mentioned As Sanda In The Impugned Order), Tahsil Baramkela, District Raigarh Chhattisgarh. **---- Petitioner**

Versus

1. The State of Chhattisgarh through the Secretary, Department of Revenue and Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh.
2. The Collector, District Raigarh Chhattisgarh.
3. The Sub Divisional Officer (Revenue), Sarangarh, District Raigarh Chhattisgarh.
4. Parasram Patel S/o Shri Chhenu Patel, Aged About 48 Years Presently Working As Patwari At P.H. No. 26, Budeli, Tahsil Baramkela, District Raigarh Chhattisgarh. **---- Respondents**

For Petitioner	:	Mr. Roop Naik, ,Advocate.
For State	:	Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****24-08-2020**

1. Heard.
2. Learned counsel for the petitioner would submit that the petitioner, who is working as Patwari has been transferred from Patwari Halka No.9 Sanda, Tahsil Baramkela, District Raigarh to Patwari Halka No.19, Sankara, Tahsil Baramkela,

District Raigarh and along with that the additional charge of Patwari Halka No.15, Panchdhar, Tahsil Baramkela, District Raigarh has been given to her. He would further submit that discharging duty at Patwari Halka No.15 Panchdhar would be cumbersome and "Gidwari programme" is going on, which requires recording of the crop in revenue records, which has a time schedule. It is further contended that the Gidwari programme is to be performed within a time period, therefore, it would be, literally extremely difficult to perform the job at different village along with place of posting, therefore, till September, 2020, the petitioner cannot perform the duties in other village, therefore, she may not be posted there.

3. On the other hand, learned State counsel would submit that the distance between Sankara to Panchdhar is only 17 kms away and along with the petitioner, the other persons (Patwaris) have also been given the additional charge to perform their duties at different villages and it is purely an administrative order, therefore, no substantial prejudice is going to be caused to the petitioner.
4. Perusal of the impugned order dated 5-8-2020 (Annexure P/1) would show that the petitioner has been transferred from Patwari Halka No.9 Sanda to Patwari Halka No. 19 Sankara and along with that the additional charge of Patwari Halka No.15 Panchdhar has also been given to her. Along with the petitioner other Patwaris have also been given additional

charge to perform their duties at different villages.

5. Considering the submissions of the learned counsel for the parties and further considering the fact that along with the petitioner, other persons (Patwaris) have also been given additional charge to perform their duties at different villages and the distance, as stated by the State counsel, of 17 kms between Sankara and Panchdhar is also not extraordinary one which would cause prejudice to the petitioner. Therefore, the impugned order appears to be purely an administrative order, I am not inclined to interfere in exercising of power under Article 226 of the Constitution of India.
6. Accordingly, the instant writ petition being devoid of merit is liable to be and is hereby dismissed. Consequently, I.A.No.1 of 2020 which is an application for grant of interim relief is also dismissed.

Sd/-

(Goutam Bhaduri)
Judge

Raju