

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3942 of 2020

Nitin Patel S/o Shri Ganpati Lal Patel Aged About 37 Years
Presenting Posted As Assistant Veterinary Field Officer V.H.
Ratanpur District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Pashudhan Vikas Vibhag, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh
2. Director Veterinary Health Service Naya Raipur, District Raipur Chhattisgarh
3. Joint Director Of Veterinary Services Office Of Old Composite Building In-Front Of Collector Office Bilaspur District Bilaspur Chhattisgarh.

---Respondents

For petitioner – Shri Kamal Kishore Patel, Advocate.
For State- Ms. Akansha Jain, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

07/10/2020

Heard.

1. Challenge in this petition is to the transfer order dated 14/09/2020 whereby the petitioner has been transferred from Veterinary Hospital, Ratanpur, District Bilaspur to Veterinary Hospital, Loharsi Block Patan, District Durg.
2. Learned counsel for the petitioner would submit that with the transfer of the petitioner no Veterinary Doctor will be available at Ratanpur and further in the mid session it would affect the study of the children of the petitioner. He would submit that wife of the petitioner is also government servant posted at Baramkela, District Raigarh they may be placed at the same place, therefore at present transfer order may not be given effect to.
3. Learned State counsel on instruction would submit that one D.C. Yadav is working, therefore with the transfer of the petitioner it will not cause any serious impediment and further the petitioner is working at

Ratanpur for last three years. She further submits that the petitioner has been relieved on 5/10/2020.

4. The transfer order contains a endorsement that it has been endorsed by the coordination committee. Considering the fact that the petitioner already stands relieved at this stage, I do not find any reason to interfere in the transfer order as transfer being incident of service, which cannot lightly be interfered with by Courts unless it is shown to be clearly arbitrary or tainted with malafide or infraction of any prescribed norms of principles governing the policy of transfer which causes serious prejudice. However, the petitioner is given liberty to make a representation before the respondent No.1 Secretary, Department of Pashudhan Vikas Vibhag, Mahanadi Bhawan, Mantralaya, Raipur within a period of three weeks from today. On such representation being filed that may be further decided within an outer limit of two months.

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

Sd/-

(Goutam Bhaduri)

JUDGE