

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3934 of 2020**

- Vijendra Miri, S/o Late Mohanlal Miri, Aged About 34 Years Presently Posted And Working As Assistant Veterinary Field Officer, Pashu Chikitsalay, Bodri, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Pashudhan Vikas Vibhag, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh
2. Under Secretary, Pashudhan Vikas Vibhag, Mahanadi Mantralaya, Naya Raipur, Atal Nagar. Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. B.D. Guru, Advocate
For State	:	Mrs. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****15.10.2020**

1. Heard
2. The challenge in the present writ petition is to the transfer order dated 15.09.2020 whereby the petitioner has been transferred from Veterinary Hospital Bodri Distt. Bilaspur to Veterinary Hospital Surpa Block Patan Distt. Durg.
3. Learned counsel for the petitioner submits that as per the instructions received by the transfer of the petitioner from Distt. Bilaspur, the post of Veterinary Doctor at Bilaspur would fall vacant.

He would further submit that the said transfer is not according to the policy of the State and no coordination was arrived at before the transfer.

4. Learned State counsel opposes the argument made by learned counsel for the petitioner and would submit that the petitioner is working at Veterinary Hospital Bodri Distt. Bilaspur for the last 4 years and the transfer has been made according to the exigencies of service and the coordination has been approved which would find place at the bottom of the said transfer order. It is further submitted that as per instructions received, one Mr. M.K. Pandey has been given the charge at Veterinary Hospital Bodri Distt. Bilaspur, therefore even after the transfer of the petitioner, the post of Veterinary Doctor would not fall vacant.
5. I have heard learned counsel for the parties and considered their rival submissions made hereinabove.
6. Since it has been stated on behalf of the State that by the transfer of the petitioner to Durg, the post will not fall vacant, considering the same thereby it would show that the public at large would not suffer. Further considering the fact that the petitioner has already served more than 4 years at Veterinary Hospital Bodri Distt. Bilaspur which too appears to have approved from coordination as per note appended to bottom of the transfer order and since he has been transferred to Veterinary Hospital Surpa Block-Patan Distt. Durg, I am not inclined to interfere with the said transfer order in exercise of power under Article 226 of the Constitution of India.

7. It is a 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 or principles governing the policy of transfer. No Government servant or employee of Public undertaking has legal right for being posted at any particular place.
8. In view of the above settled factual and legal position, I do not find any merit in this writ petition. Accordingly, this writ petition stands dismissed.

Sd/-

(Goutam Bhaduri)
Judge