

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4129 of 2020

Neeraj Mehto, S/o Late Shri Omkar Prasad Mehto, Aged About 32
Years By Occupation Assistant Veterinary Field Officer, Veterinary
Hospital, Takhatpur, District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Animal Husbandry And Veterinary Services, Mahanadi Bhavan, Mantralaya, Atal Nagar, Nava Raipur, District - Raipur Chhattisgarh.
2. The Under Secretary, Department Of Animal Husbandry And Veterinary Services, Mahanadi Bhavan, Mantralaya, Atal Nagar, Nava Raipur, District - Raipur Chhattisgarh.
3. The Director, Directorate Of Veterinary Services Indrawati Bhawan, Block III, Ground Floor, Atal Nagar, Nava Raipur, Tahsil And District Raipur Chhattisgarh.
4. Joint Director, Veterinary Services, District - Bilaspur Chhattisgarh

---Respondents

For petitioner – Shri Anand Shukla, Advocate.
For State- Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/10/2020

Heard.

1. Learned counsel for the petitioner submits that by transfer order dated 14/09/2020 the petitioner has been transferred from Veterinary Hospital, Takhatpur District Bilaspur to Veterinary Dispensary Keshra, Block Patan, District Durg. Learned counsel submits that the said transfer has been made against the clause 2.4 of the transfer policy dated 27/05/2020 which purports that in eminent circumstances transfer can be made that too after approval with the coordination. He further submits that the petitioner has made representation dated 20/09/2020 (Annexure P-5) to the respondent No.2, Under Secretary, Department of Animal Husbandry & Veterinary Services.
2. Learned State counsel submits that the petitioner is working in the said place since 2015 and after five years transfer has been made and at

the bottom of the transfer order it shows that approval has been taken in coordination with the Chief Minister.

3. Perused the documents. The petitioner is posted since 2015 and the transfer order dated 14/09/2020 contains an endorsement that it has been approved in coordination with the Chief Minister, therefore prima facie it does not show that there is violation of the policy. Considering the fact, 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 or principles governing the policy of transfer which causes serious prejudice. Considering the fact that representation dated 20/09/2020 (Annexure P-5) has already been made by the petitioner before respondent No.2, Under Secretary, Department of Animal Husbandry & Veterinary Services, it is directed that same may be decided within a reasonable time.

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

Sd/-

(Goutam Bhaduri)

JUDGE