

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4434 of 2020

- Bharvi Mishra S/o Ashok Mishra, Aged About 55 Years Working As Patwari
At Halka No. 53, R.I. Circle Kumhari Tahsil Dhamdha, District Durg
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue,
Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur
Chhattisgarh
2. Collector, Durg, District Durg Chhattisgarh.
3. Sub Divisional Officer (Rev) Dhamdha District Durg Chhattisgarh

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate
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For State	:	Ms. Sunita Jain, G.A.
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Hon'ble Shri Justice Goutam Bhaduri

Order

29.10.2020

Heard.

1. Learned counsel for the petitioner would submit that that the petitioner was transferred at Patwari Halka No. 53, R.I. Circle Kumhari, Tehsil Dhamdha on 23.08.2019 (Annexure P-2). She was relieved on 31.10.2019 from the earlier place of posting and and joined new place of posting i.e. Kumhari on 09.11.2019. Thereafter, after 10 months she has again been transferred to Patwari Halka No. 52, Kandarka by order dated 03.10.2020(Annexure P-1). He further submits that the petitioner has been subjected to frequent transfer and the transfer is completely ban at the present time. He further prays that the marriage of petitioner's daughter is fixed on 02.12.2020 and till the marriage is solemnized the petitioner may be allowed to be posted at same place.

2. On the other hand, learned State counsel opposes the argument and would submit that Kumhari and Kandraka is in the same district and the distance is very minimum, and accordingly no substantial transfer has been done.
3. Perused the documents.
4. Perusal of the documents would show that the petitioner was relieved on 31.10.2019 and joined at Kumhari on 09.11.2019 and again has been transferred to Kandraka on 03.10.2020. Further taking into the fact specially considering the fact that marriage of petitioner's daughter is to be solemnized in December, the petitioner is given the liberty to make a representation ventilating all the grievances to Respondent No. 3, within a period of 3 weeks and thereafter if such representation is filed, Respondent No. 3 is directed to decide the same within a further period of 45 days from the date of receipt of a copy of the representation.
5. In the meanwhile, till the representation of the petitioner is decided the transfer order dated 03.10.2020 (Annexure P-1) in respect of the petitioner may not be given effect to.
6. With the aforesaid observation, the petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge