

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4508 of 2020**

Yogendra Parghaniya S/o Shri Nand Kumar Parghaniya Aged About 41  
Years R/o Patwari Janjiri, Distt.- Durg (Chhattisgarh). --- **Petitioner**

**Versus**

1. State of Chhattisgarh through the Principal Secretary, Revenue Department Mahanadi Bhavan, Mantralaya Atal Nagar, Raipur, District Raipur (Chhattisgarh),
2. Collector Durg, Distt.- Durg (Chhattisgarh).
3. Sub Divisional Officer (Revenue) Dhamda, Dist.- Durg (Chhattisgarh).  
--- **Respondents**

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For the Petitioner : Mr. T. K. Jha, Advocate

For the State/Respondents : Mrs. Richa Shukla, Dy. Govt. Advocate

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**Hon'ble Shri Justice Goutam Bhaduri****Order on Board****04-11-2020**

1. Challenge in this petition is to the order dated 03.10.2020 passed by the SDO wherein the petitioner has been transferred from Patwari Circle No.49 to other Patwari Circle Nos.50 & 51.
2. Learned counsel for the petitioner submits that as per the Policy of the State dt. 12.09.2020 Annexure P-4 the power is vested with the Collector therefore the order passed by the SDO would be wrong and without jurisdiction.
3. Per contra, learned State Counsel placed on record the copy of the Bhu Abhilekh Niyamavali wherein Rule 7 purports that from one circle to other circle, the Patwari can be transferred by the SDO.
4. Reading of the order dt.03.10.2020 would show that the petitioner has been

transferred from one Patwari Circle to other Patwari Circle, which the SDO has been empowered and the the notification shows that the Collector can transfer a Patwari from one Tahsil to other Tahsil within his district, therefore, the notification issued on 12th September, 2014 is not in conflict with the Rules or to the direction which has been issued by the State and since the petitioner has been transferred from one circle to other, the same cannot be said to be without jurisdiction.

5. The petitioner however further would submit that the petitioner is suffering with serious ailment and he has already filed a representation to the Collector, which may be decided.
6. Considering the prayer made, it is observed that the Collector may decide the representation of the petitioner within an outer limit of 60 days.
7. Accordingly, this writ petition stands disposed of.

**Sd/-**

**GOUTAM BHADURI  
JUDGE**