

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 4625 of 2020**

Smt. Shweta Vaishnav W/o Shri Manoj Singh Aged About 35 Years Working As Patwari, P. H. No. 78, Village Temri, Dharampura, Tahsil And District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Revenue and Disaster Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur , District : Raipur, Chhattisgarh
2. The Collector (Land Record Branch) Raipur District Raipur Chhattisgarh,
3. The Sub Divisional Officer (Revenue) Raipur District Raipur Chhattisgarh,
4. The Tahsildar Raipur District Raipur Chhattisgarh
5. Uttam Kumar Chandrakar Posted As Patwari, Sub Divisional Officer (Revenue) Raipur District Raipur Chhattisgarh

--- Respondents

For the Petitioner : Mr. Goutam Khetrapal, Advocate

For the State/Respondents : Ms. Sunita Jain, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****05-11-2020**

1. The challenge made in this writ petition is to the order dated 27.10.2020 (Annexure P-1) whereby the petitioner has been transferred from Patwari Halka No.78 village Temri, Dharampur, Tah. & Distt. Raipur to Patwari Halka No.83 village Kandul, Kathadih, Tahsil Raipur. The petitioner submits that earlier she was posted at P.H.No.26 village Bahesar Chikhli sub-tahsil Dharwiva, from where she was transferred to P.H. No.83 Kandul, Kathadih, Tahsil Raipur by order dated 13.03.2020. Subsequently on 15.05.2020 (Annex. P-5) she was transferred from PH No.83 to PH. No.78 which is village Temri Dharampura. Learned counsel submits that this order has

been passed to accommodate respondent No.5, who after the revocation of suspension was posted at Tahsil by the SDO at PH No. 83 and thereby, the respondent SDO is over-riding the order of the collector posted the petitioner at the Tahsil Office, Raipur. It is submitted that the petitioner may be allowed to file a representation which may be decided, till then the order Annexure P-3 be stayed.

2. Learned State Counsel opposes the arguments. The order dated 27.10.2020 Annexure P-1 would show that the petitioner has been transferred within Tahsil from one village to another. Since there is no change of headquarter as per the fundamental rule, it cannot be said to be a transfer. Primarily it appears to be an office arrangement of the Patwaris within the Tahsil from one Patwari Halka to another.
3. Learned State Counsel would submit that the distance between the two patwari circles that is from village Temri to Tahsil Office Raipur is 10 Kms. More so, considering the nature of order, I am not inclined to interfere with the impugned order.
4. However, the petitioner shall be at liberty to make a representation to the Collector, Raipur within 3 weeks and on such representation being filed, the same shall be considered and decided within 60 days from the date of receipt of this order.
5. With the above observation, this writ petition stands disposed of.

Sd/-
GOUTAM BHADURI
JUDGE