

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8976 of 2019**

- Ramkumar Chyelite S/o Shri S.L. Chyelite Aged About 49 Years Presently Posted As Patwari At Phn 36, Chakarbeda, Tahsil Masturi District Bilaspur , R/o Jagdamba Colony, Chatidih, Bilaspur District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh.
2. Collector Land Record District Bilaspur Chhattisgarh.
3. Additional Collector Bilaspur District Bilaspur Chhattisgarh.
4. Sub Divisional Officer (Revenue) Masturi District Bilaspur Chhattisgarh.
5. Yogesh Kumar Gandharv, Presently Posted As Patwari Office Of Collector Land Record Bilaspur District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Ishan Verma, Advocate
For Respondents/ State	:	Ms. Beenu Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/01/2020**

1. Heard.
2. The grievance of the petitioner is that the petitioner has been transferred by order dated 18.10.2019 from PHN 36, Chakarbeda, Tahsil Masturi to PHN 04, Marwahi Tahsil Marwahi District Bilaspur. It is contended that the petitioner by Annexure P-5 was given the charge of Chakarbeda on

24.12.2018 and on the earlier place of posting i.e. Dhruwakari he was shown to be the temporary holder, therefore, subsequent transfer was made at Chakarbeda on 24.12.2018 and within 1 year the petitioner has been again transferred. It is contended that petitioner's wife is working at Government School, Masturi and as per the policy of the State the husband and wife are to be kept at same place. Therefore, the transfer of the petitioner may be cancelled.

3. On 05.11.2019, the State was directed to seek instructions, the instructions are still awaited.
4. In view of this, after perusal of Annexure P- 5 and taking into the fact that the wife of the petitioner is working at Government School, Masturi the petitioner is given liberty to make a representation to Additional Collector, Bilaspur within a period of 15 days from today and the Additional Collector thereafter shall decide the representation of the petitioner within 30 days from the date of receipt of a copy of this order.
5. In the meanwhile, if the transfer order which is dated 18.10.2019, if it has not been carried out till date shall not be given effect to till the representation is decided.
6. With the aforesaid observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge