

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 98 of 2021**

1. Amar Nath Awadhiya S/o Yadav Krishna Awadhiya, Aged About 55 Years Occupation-Sub Engineer Posted At- Nagar Panchayat Simga, Tehsil Simga, District Balodabajar Bhatapara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Additional Secretary, Urban Administration And Development Department Ministry, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Director, Urban Administration And Development Department Ministry, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Awad Tripathi, Advocate
For State	:	Mr. Vikash Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12.01.2021**

1. The impugned order in the present writ petition is to the order dated 17.12.2020 whereby the petitioner has been transferred from Nagar Panchayat Simga to Nagar Panchayat Thankhamhariya District Bemetara.
2. The contention of the petitioner is that he has been posted at the present place on 31.08.2019 and as such he has remained at the said place of positing about one year and three months and he has now been shifted to a different place.

3. It is the further contention of the petitioner that at the present place of posting i.e. Nagar Panchayat Simga, there are two posts of Sub-engineers and only one post was occupied by the petitioner and upon the petitioner being transferred, both the posts would get vacant and there is no replacement as such made by the respondent authorities.
4. These are grounds which are all to be dealt with and considered by the State Government on an appropriate representation that the petitioner shall have to make. The High Court in exercise of its writ jurisdiction can not decide the duration of a posting or even the place of posting of the petitioner, this Court therefore disposes of the writ petition directing the petitioner to approach the respondents No. 1 by way of a suitable representation supported with all relevant records which the respondent authorities shall consider and decide in accordance with the Rules and policy governing the field at the earliest preferably within a period of 30 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge