

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.2490 of 2014

- Roop Lal Patel, S/o Meghnath Patel, Aged About 25 Years, R/o Village Kachhar, P.S. Bhupdeopur, Civil and Revenue Distt. Raigarh, Chhattisgarh

----- Petitioner

Versus

- 1.State Of Chhattisgarh Through The Secretary, Animal Husbandry Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt. Raipur, Chhattisgarh
- 2.Deputy Director, Veterinary Service, Raigarh, Chhattisgarh
- 3.Assistant Veterinary Field Officer, Veterinary Hospital/Artificial Insemination, Sub Centre, Banhar, Distt. Raigarh, Chhattisgarh
- 4.Assistant Veterinary Field Officer, Veterinary Hospital/Artificial Insemination, Sub Centre, Gurda, Distt. Raigarh, Chhattisgarh

----- Respondents

For Petitioner	Mr. Rahul Agrawal, Advocate
For Respondent-State	Mr. Soumya Rai, PL

Hon'ble Justice Shri Sanjay K. Agrawal

Order On Board

06/10/2021

1. The petitioner was initially appointed as Assistant Chowkidar (4th Class) by order dated 07.07.2012 (Annexure-P/2) passed by the

respondent No.2 and was posted at Veterinary Hospital, Gurda, Block Kharsiya. The petitioner gave his joining on 12.07.2012. By order dated 09.10.2012 (Annexure-P/4), the petitioner was transferred from Veterinary Hospital, Gurda, Block Kharsiya to Government Poultry Farm, Raigarh and he joined at the transferred place on the same day. Again vide order dated 26.10.2012 (Annexure-P/6), the respondent No.2 cancelled the order dated 09.10.2012 and again transferred the petitioner from Government Poultry Farm, Raigarh to Artificial Insemination, Sub Centre, Banhar, Raigarh. The petitioner gave his joining at the transferred place on 02.11.2012. Again vide order dated 22.06.2013 (Annexure-P/10), the order dated 26.10.2012 (Annexure-P/6) has been cancelled, against which the petitioner had preferred a writ petition before this Court.

2. In the first round of litigation, this Court on 28.03.2014 in WPS No.1600/2014 vide Annexure-P/11 directed the respondent No.2 to decide the petitioner's representation and till then the petitioner was allowed to

continue at the present place of posting i.e. Artificial Insemination, Sub Centre, Banhar, Raigarh. Thereafter, the petitioner made a representation dated 07.04.2014 (Annexure-P/12) to the respondent No.2. The respondent No.2 vide order dated 10.04.2014 (Annexure-P/1) considered and rejected the petitioner's representation citing reason that the post of Assistant Chowkidar is only available in the Veterinary Hospital, Gurda, Block Kharsiya and the salary is being drawn and paid to the petitioner from the Veterinary Hospital, Gurda, Block Kharsiya itself and vide order dated 26.10.2012, he was not transferred to Artificial Insemination, Sub Centre, Banhar, Raigarh but was only directed to work there.

3. I have heard learned counsel for the parties and went through the records.
4. On perusal of the order dated 10.04.2014 (Annexure-P/1), it appears that the post of Assistant Chowkidar is only available in the Veterinary Hospital, Gurda, Block Kharsiya and the salary is being drawn and paid to the petitioner from the Veterinary Hospital, Gurda, Block Kharsiya itself and vide order

dated 26.10.2012, he was not transferred to the Artificial Insemination, Sub Centre, Banhar, Raigarh but was only directed to work there, as such I do not find any perversity in the finding recorded by the Competent Authority.

5. Accordingly, the writ petition is dismissed.

No order as to cost (s).

Sd/-
Sanjay K. Agrawal
Judge

Nirala