

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 564 of 2021**

Manharan Lal Sahu S/o Mukund Ram Sahu, Aged About 56 Years,
Working As Executive Engineer At Chhattisgarh State Power
Distribution Company Limited, Division Pithora, District Mahasamund,
Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh State Power Distribution Company Limited Through
Managing Director, Dangania, Raipur District Raipur, Chhattisgarh
2. Chief Engineer, Chhattisgarh State Power Distribution Company
Limited Raipur, District Raipur, Chhattisgarh
3. Executive Director, Chhattisgarh State Power Distribution Company
Limited Raipur, District Raipur, Chhattisgarh
4. General Manager (HR), Chhattisgarh State Power Distribution
Company Limited, Raipur, District Raipur, Chhattisgarh
5. B. P. Jaiswal Posted At The Office Of Executive Engineer (O And M),
Chhattisgarh State Power Distribution Company Limited, Division,
Gariyaband, District Gariyaband, Chhattisgarh

---- Respondents

For Petitioner : Mr. Govind Dewangan, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

27.01.2021

1. The challenge in the present writ petition is to the order of transfer dated 11.01.2021 by which the petitioner has been transferred from Division Pithora, District Mahasamund to Division Jagdalpur, District Bastar.
2. The challenge is on the ground that at the present place of posting the petitioner has worked only for about a year and immediately thereafter he stands transferred. The second ground of challenge is that the impugned order has been issued only to accommodate respondent no.5 who has been sent in place of petitioner.
3. This Court is of the firm view that it is well within the domain of the employer to decide when, where and for what period an employee has to be posted. The scope of interference in an order of transfer is too minimal as has been settled by the Hon'ble Supreme Court in a catena of decisions. It is not a case where the petitioner is working on a non-transferable post. It is also not a case where the order of transfer has been passed contrary to the service rules governing the field or the authority who has issued the order was incompetent to issue the same.
4. Under the circumstances, this Court does not find any strong case made out by the petitioner calling for an interference with the impugned order of transfer. However, the reluctance of this Court in entertaining the writ petition would not preclude the petitioner in approaching the authorities by way of representation against the place of posting or personal inconvenience and personal difficulties that he shall face. Upon the representation being made, the authority concerned is expected to take a decision on the same in accordance with the rules,

guidelines and policies applicable 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**

Khatai