

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 863 of 2021

1. Ramadhar Sahu S/o Shri Ram Sugghag Sahu Aged About 52 Years
R/o Village Tolga, Janpad Panchayat Khadgawan, District Koriya
Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural
Development Department, Mantralaya, Mahanadi Bhawan, Atal
Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. Chief Executive Officer District Panchayat, Koriya Chhattisgarh.,
District : Koriya (Baikunthpur), Chhattisgarh

--- **Respondents**

For Petitioner	:	Shri Vijay Kumar Sahu, Advocate.
For State	:	Shri Avinash Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.02.2021.

1. The challenge in the present writ petition is to the order of transfer dated 31.12.2020 whereby the petitioner has been transferred from Gram Panchayat Chirmi, Janpad Panchayat Khadgawan, District Koriya to Gram Panchayat Shankergarh, Janpad Panchayat Manendragar, District Koriya (Baikunthpur).
2. The challenge is on the ground that the petitioner has been subjected to frequent transfers in as much as the petitioner was transferred at the present place of posting only around 25 days back vide order dated 04.12.2020 wherein the petitioner was transferred from Gram Panchayat Sawla to Gram Panchayat Chirmi, the said

order was complied with by the petitioner without any demur. The two orders have been passed by the same authorities and the subsequent order does not reflect any administrative exigency or the peculiar circumstances under which the impugned order was issued or necessitated to be issued.

3. The impugned order would also reveal that upon the order of transfer issued in favour of the petitioner, the respondents have also given the charge to one Shri Ashok Kumar Sahu for discharging the duty that of Panchayat Secretary, this Court is of the opinion that prima facie it appears to be a case of frequent transfer without there being any administrative exigency shown by the respondents.
4. Given the said facts let the petitioner make a detailed representation within 10 days to the respondent No. 2 supported with all the relevant documents, the respondent No. 2 in-turn shall duly consider the representation of the petitioner within a period of 45 days from the date of receipt of representation of the petitioner.
5. Meanwhile, purely as an interim measure, till the representation of the petitioner is decided by the respondent no. 2, the effect and operation of the impugned order of transfer dated 31.12.2020 shall remain stayed.
6. The writ petition at this juncture stands disposed of.

Sd/-

(P. Sam Koshy)
Judge