

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 841 of 2021**

Rupesh Kumar Upadhyay, S/o Late Shri Dayashankar Upadhyay, Aged About 41 Years R/o Quarter No. H-7, 2nd Battalion, Chhattisgarh Armed Force, Sakri, Police Station - Sakri, Tahsil - Takhatpur, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Its Secretary, Department Of Home / Police, Mahanadi Bhawan, Mantralaya, Police Station And Post - Rakhi, Atal Nagar, New Raipur, District - Raipur Chhattisgarh
2. Director General Of Police (DGP), Police Headquarters (PHQ), Police Station And Post - Rakhi, Atal Nagar, New Raipur, District - Raipur Chhattisgarh.
3. Additional Director General Of Police (ADGP), Chhattisgarh Armed Force (CAF), Police Headquarters (PHQ), Police Station And Post - Rakhi, Atal Nagar, New Raipur, District - Raipur Chhattisgarh
4. Inspector General Of Police (IGP), Chhattisgarh Armed Force (CAF), Police Headquarters (PHQ), Police Station And Post - Rakhi, Atal Nagar, New Raipur, District - Raipur Chhattisgarh.
5. Commandant, 19th Battalion, Pokhran Vahini, Chhattisgarh Armed Force (CAF), Karanpur - Jagdalpur, District Bastar Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Abhishek Pandey, Advocate along with Ms. Deepika Sannat, Advocate
For State	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/02/2021**

1. The challenge in the present writ petition is to order Annexure P/2 dated 25.01.2021, whereby the petitioner has been shifted from the post of Head Constable at Headquarters Karanpur-Jagdalpur to Bijapur.
2. Perusal of the pleadings it appears that the impugned order is not in

fact an order of transfer, but it is only a shifting of the place of the posting of the various police personnels of different ranks posted under the same Battalion and under the same Commandant. For the reason that it is not a transfer order, but is only a posting order, and moreover under the same Commandant, the provisions of Police Regulations would not be applicable in the given facts of the case.

3. For the aforesaid reason, this Court does not find any strong case made out calling for an interference with the impugned order. However, in case if the petitioner has any inconvenience, he has a right to approach the authorities who has passed the order of posting ventilating his grievance and on such application being made, it is expected that the authorities shall consider the same on its own merits taking into consideration the reasons assigned by the petitioner.
4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved