

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 945 of 2021**

Nirnay Manik S/o Shri Mandas Manik, Aged About 40 Years, Presently Posted As Driver At Office Of Commissioner Naya Raipur, Chhattisgarh. R/o House No. 207, Ward No. 06, Thethwar Para, Durg, District Durg, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Transport Ministry, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh
2. Commissioner (Transport), C- Block Third Floor, Indrawati Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
3. Deputy Transport Commissioner, C- Block Third Floor, Indrawati Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ishan Verma, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****11.02.2021**

1. The grievance of the petitioner in the present writ petition is the order of transfer dated 15.01.2021 whereby the petitioner has been transferred from the office of the Transport Commissioner, Naya Raipur to the District Transport Office, Pendra-Gaurela-Marwahi.
2. The grievance of the petitioner is that he is a low paid employee working on the post of driver and he has been shifted to Raipur only

vide order dated 02.12.2020 and in less than 1 ½ months time, vide the impugned order, he has been again shifted from Raipur to Pendra-Gaurela-Marwahi and the said action on the part of the respondents therefore amounts to a frequent transfer.

3. State counsel, on the other hand, opposing the petition submits that the impugned order has been passed taking into consideration the administrative exigency that exists.
4. Given the submission made by the counsel for the parties and considering the two order of transfer made at a very short interval and also considering the fact that the petitioner is a low paid employee working on the post of driver, let the petitioner approach the respondent no.2 by way of a suitable representation to be made within 10 days from today and an appropriate decision in turn be taken by the respondent no.2 on due consideration of the contents of the representation that the petitioner would make. It is expected that the respondent no.2 shall take an appropriate decision at the earliest preferably within a period of 45 days from the date of receipt of the representation of the petitioner.
5. Meanwhile, purely as an interim measure, the respondents are restrained from giving effect to the impugned order of transfer dated 15.01.2021 till the representation is decided.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge