

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 1485 of 2021

1. Shiv Kumar Yadav S/o Late Shri Chhedilal Yadav Aged About 52 Years Presently Posted as In Charge Chief Municipal Officer, Nagar Panchayat , Pussore , Tahsil and District Raigarh Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Department of Urban Administration And Development, Mahanadi Bhawan, Capital Complex , Mantralaya , Atal Nagar, District Raipur Chhattisgarh.
2. Directorate of Urban Administratio And Development Through It's Director, Indrawati Bhawan, Mantralaya , Atal Nagar, District Raipur Chhattisgarh.
3. Nagar Panchayat Pussore, Through It's Chief Municipal Officer, Nagar Panchayat Pussore, District Raigarh Chhattisgarh.
4. Smt. Neetu Agarwal Chief Municipal Officer, Nagar Panchayat, Doundi, Tahsil Doundi, District Balod Chhattisgarh.

---Respondents

For Petitioner	:	Shri Sourabh Sharma, Advocate.
For Respondent State	:	Ms. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15.03.2021

1. The grievance of the petitioner in the present writ petition is the order of transfer dated 18.02.2021 transferring the petitioner from Pussore to Raigarh.
2. The contention of the petitioner was that the petitioner has been subjected to frequent transfer inasmuch as the petitioner was working at Baradwar, Janjgir Champa from 2018 to 2020 and on 15.01.2020 the petitioner was transferred from Baradwar to Raigarh. The petitioner immediately complied with the order, however, just about five months time the petitioner was again subjected to transfer vide order dated 21.05.2020 transferring him from Raigarh to Pussore. This order also the petitioner immediately complied with and now within a period of less than seven months time again the petitioner has been transferred back to Raigarh from Pussore

vide impugned order. This according to the petitioner amounts to frequent shifting by way of transfer causing great hardship and inconvenience to the petitioner and his dependent.

3. During the course of hearing it has been submitted by the counsel for the petitioner that the respondent No.4 who was replacing the petitioner at Pussore has already been relieved and assumed the charge at Pussore on 19.02.2021 itself.
4. Given the fact that the respondent No.4 has already replaced the petitioner at Pussore and have assumed her duties, the only recourse left for the petitioner now would be to make a representation before the respondent No.1 raising all the contentions that he has raised in the present writ petition supported with all relevant documents in respect of his contentions particularly in respect of petitioner being subjected to frequent transfer, and the respondent No.1 meanwhile shall consider and decide the same on its own merits in accordance with law at the earliest preferably within a period of 45 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge