

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1954 of 2021**

Praveen Singh Gahlot S/o Shri Sant Singh, Aged About 32 Years
Previously Posted As Zone Commissioner, Zone 3 Of Municipal
Corporation Of Raipur, District- Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur, Chhattisgarh
2. The Deputy Secretary, Urban Administration And Development Department, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur, Chhattisgarh
3. The Commissioner, Municipal Corporation Of Raipur, District- Raipur, Chhattisgarh
4. Smt. Alarmelmangai D. Currently Posted As Director And Secretary, Urban Administration And Development Department, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur, Chhattisgarh
5. Shri Mahendra Pathak Presently Posted As Zone Commissioner, Municipal Corporation Of Raipur, District- Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Shashank Thakur, Advocate
For Municipal Corporation	:	Mr. H. B. Agrawal, Sr. Advocate along with Mr. Preeti Yadav, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26.03.2021**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 23.01.2021 whereby the petitioner has been transferred from Raipur to Surajpur. The challenge has been made primarily on two grounds; firstly the order being with malafide and secondly the person who is replacing the petitioner is not competent and qualified to hold the post of Zone Commissioner at Raipur.
2. Perusal of the record would show that the petitioner has been working at the present place for more than two years. Further considering the fact that the order of transfer is not an individual order by which the allegation of malafide could have got more force, rather the impugned order consists transfer of 76 officers under the respondents and the petitioner happens to be one among them which again forces this Court to draw an inference that the allegation of malafide is only an inference which the petitioner wants to draw.
3. As regards the second ground of the reliever i.e. respondent no.5 not being competent, that again is not a ground available to the petitioner to challenge his transfer order which otherwise appears to have been made purely on administrative exigency taking into consideration the need of the hour and also the competency of the officers who have been shifted from one place to another.
4. For the aforesaid reasons, this Court is of the opinion that no strong case for interference with the impugned order as such is made out. The Writ Petition therefore deserves to be rejected and it is ordered accordingly.
5. However, it shall be open for the petitioner to approach the authorities concerned by way of a suitable representation seeking for any change in place of posting, if he is not satisfied with the present place of

posting that he has been provided.

6. With the aforesaid liberty, the writ petition stands dismissed.

**Sd/-
P. Sam Koshy
Judge**

Khatai